

# EXHIBIT C: PUBLIC COMMENTS

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*RECEIVED BETWEEN OCTOBER 10 - NOVEMBER 5, 2013*

*REGARDING AMENDMENTS TO THE LAKE COUNTY UNIFIED DEVELOPMENT  
ORDINANCE*



November 1, 2013

Bonnie Thomson Carter  
Lake County Board  
18 N. County Street, 10th Floor  
Waukegan, IL 60085

Dear Bonnie,

Sarah Surroz reached out to me and urged I chat with you about my proposal for a short video about my own backyard chickens. I also have been in touch with Sandy Hart, who kindly said she would be willing to sponsor the video segment. The video has been previewed by Lake County Planning staff, and can be viewed at <http://vimeo.com/78323594>. I know we had a great deal of very personal testimony at the Oct 17 ZBA hearing, but I would like to see a balance of such testimony with factual material. I also simply want people to see what backyard chickens on a quarter-acre lot really look like – and to please note that our swing set is only about 10 feet from the coop.

I was very fortunate to have one of my neighbors offer his services as a professional videographer, so he shot the footage this past weekend and did all the editing. The credit for the video goes to Mike Beall, Executive Producer of Sun Lake Productions, Lake Villa, Illinois. It includes a look at our neighborhood context (ordinary subdivision) and our backyard (average yard of ~11,000 sq ft), the proximity of the coop to our deck and play structures, the chickens, and also includes quick interviews with my neighbor (who is on the side near the coop and has had no issues with noise or odor) and our daughter Nora (who talks about how it's safe to lick the batter since we use our own eggs). It doesn't include a lot of narration, just a brief introduction and the short Q&A.

Sarah mentioned that you voiced concerns about the person who spoke at the Oct 17 hearing from Prairie Crossing about not washing hands; that was Sharon Gaughan, and her statement took me aback as well. That is the one thing that my husband Ken and I insist on – if the girls handle the chickens, the eggs or even go into the run to provide food and water, then shoes come off before entering the house and hands get washed with soap and warm water for the duration of the alphabet song. In 5 years we have had no issues. We also wash our eggs before storing (a dab of dish soap with bleach and cool water), as they do have chicken manure on them when collected. Some people say to not wash the eggs, but I don't particularly want to store chicken manure bits on my counter or in my refrigerator. We also monitor our birds for signs of health issues – their feet and feathers are checked every so often, and they always have dry, clean areas to go to if their run is wet or snowy – plus they can free-range in the fenced backyard to take dust baths and forage for insects/worms, which helps keep the birds healthy. We enjoy the security of knowing that our eggs are safe from any pathogen issues (much more common in large-scale laying operations than in backyards) – we do most of our own baking, and I have a chronic digestive illness that puts me at higher risk from such infections.

Commercial layers are culled from laying after about a year, and I take it as a clear sign of our birds' health that our oldest layers were productive for well over 4 years before they stopped laying. We have a variety of breeds, but most give about an egg a day, so roughly 5-6 eggs per week from each hen. We keep 5-6 birds at a time, which yields 2-3 dozen eggs per week – enough for our family and some to share for an investment of about \$14/month in feed. If I were to buy "cheap" eggs the finances are probably close to breaking even, but if we purchase free range or organic eggs, I come out well ahead. I won't even go into the enjoyment factor – how much do folks spend to feed and care for their family pets? The hens do give a little cluck announcing when they have laid an egg, but it is not very loud, nothing like a rooster. They also have a lot of personality and will quickly come over to see what we are doing around the garden. Regarding our hens that no longer lay, we now keep them as pets, but probably later this winter we will take them over to a friend's farm where he can slaughter them quickly and humanely (he has a specific set-up for this in one of his barns). Since we raised them from 2-day-old chicks, and they have names, my family has opted not to eat them, but they can go on to feed others.

I believe the true issue with the half acre vs. quarter acre lot size is one of elitism and exclusivity. How many regular folks have those larger lots? Not nearly as many as those of us with the smaller, more modest 10,000 sq ft lots. How many Lake County residents would be eliminated if the ordinance wording stays at 20,000 sq ft? I feel strongly that this acreage change would take away the household food security option from the very families who would benefit most. I guess we will see what transpires, but I do hope that very critical point of access to everyone can be made to the board. We cannot afford to take a NIMBY perspective when it comes to local food production and household food security. Guidelines for being a respectful neighbor and practicing sound food/animal safety – absolutely – but not elitism.

I do plan to attend the Nov 5 meeting, but will have to leave by 9:30 or so as I teach a class at 10:00 a.m. The College of Lake County has an active Sustainable Agriculture program as part of the Horticulture Department, and integration of animals in permaculture approaches to food production is a concept that we teach. Please let me know if there is anything further I can provide that would help make the case for backyard chickens – perhaps research to refute some of the odd slaughter or disease testimony? I would like to see the sources from which those facts were cited. I believe academic and research-based sources would convey different and much more reputable data. (<http://umaine.edu/livestock/poultry/resources/> ; [http://hstrial-chickensinthehomestead.com/univ\\_of\\_new\\_mexico\\_research.pdf](http://hstrial-chickensinthehomestead.com/univ_of_new_mexico_research.pdf) ) If the Board wants further information, my offer to have anyone visit our backyard still stands. I will share the link once the video is posted, and hope that it will be a useful tool to illustrate the reality of backyard chickens. Thank you so much for your consideration of this issue, and please call or email anytime if I can provide any additional documentation.

With sincere thanks,

A handwritten signature in cursive script, appearing to read "Rory", with a long horizontal flourish extending to the right.

Rory Klick, M.S.  
Associate Professor of Horticulture/Department Chair  
College of Lake County  
19351 West Washington Street  
Grayslake, IL 60030-1198  
voice) 847-543-2320  
fax) 847-223-1357  
email) [rklick@clcollinois.edu](mailto:rklick@clcollinois.edu)

## Husemoller, David

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**From:** Klick, Rory [RKlick@CLCILLINOIS.EDU]  
**Sent:** Friday, November 01, 2013 2:07 PM  
**To:** Carter, Bonnie T.; Hart, Sandra  
**Cc:** Husemoller, David  
**Subject:** Official letter for use at Tuesday Board meeting  
**Attachments:** Backyard Chicken Letter.pdf

Dear Bonnie, Sandy and David –

Please find my recent email formalized as a letter that can be shared in today's board packet. Per David's guidance, he advised that this message be in letter format and include the video link. I am also including the link in this email.

<http://vimeo.com/78323594>

Thank you again for your support of this effort.

Sincerely,  
Rory

*Rory Klick, M.S.  
Associate Professor of Horticulture/Department Chair  
College of Lake County  
19351 West Washington Street  
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## Husemoller, David

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**From:** Sharon Gaughan [sgaughan@prairiecrossing.com]  
**Sent:** Monday, November 04, 2013 1:13 PM  
**To:** Carter, Bonnie T.  
**Cc:** Husemoller, David  
**Subject:** Request to Present Backyard Chicken Video

Ms. Bonnie Thomson Carter,  
Planning, Building, and Zoning Committee Chair  
18 N. County St.  
Waukegan, IL 60085

Dear Ms. Carter,

We recently created this short video in order to showcase a flock of backyard chickens currently being kept successfully on a ¼ acre residential lot in unincorporated Lake County. I wanted to share this video with you, and would like to request that the video be shared with the other members of the Planning, Building, and Zoning Committee during the committee meeting tomorrow morning.

You can access the video at <http://youtu.be/1vJpW7dGbgY>

Please let me know if you have any questions, or need any additional information from me prior to tomorrow's meeting. Many thanks in advance.

Very sincerely,

Sharon Gaughan, Education Program Director  
Prairie Crossing Learning Farm, Liberty Prairie Foundation  
(847)548-4062 x12  
(847)845-3524 (cell)  
[sgaughan@prairiecrossing.com](mailto:sgaughan@prairiecrossing.com)  
[www.prairiecrossing.com/farm/learning.php](http://www.prairiecrossing.com/farm/learning.php)  
[prairiehens.blogspot.com](http://prairiehens.blogspot.com)





Lake County Beekeepers Assoc.

To David Husemoller,

The Lake County Beekeepers Association is the local county organization made up of over 100 beekeepers in Lake County. The LCBA supports the intent of the UDO amendments to increase the opportunities for individuals to keep bees in Lake County Illinois and promote local pollination and local food production. LCBA offers comments below for consideration. A majority of the members of the LCBA support these comments.

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As written

**6.4.15.1 Number of Beehives**

Two beehives (hives) shall be permitted on a minimum lot area of 10,000 square feet, and one beehive shall be permitted for each additional 10,000 square feet. There shall be no limit on the number of hives kept on parcels with an area of 200,000 square feet or more.

Proposed Change

**6.4.15.1 Number of Beehives**

Two beehives (hives) and two five frame nucleus hives shall be permitted on lots less than ~~a minimum lot area of~~ 10,000 square feet, and one beehive shall be permitted for each additional 10,000 square feet. There shall be no limit on the number of hives kept on parcels with an area of 200,000 square feet or more.

Justification:

Selection of 10000 square feet provides a clear measurable requirement but is somewhat arbitrary. Bees don't require this amount of space and on smaller lots should be able to support hives if setbacks are met. Lot size is not a factor when considering the range in which bees forage. Small 5 frame nucleus colonies are now more frequently used as a necessary tool used for swarm prevention, parasite (mite) control and for local queen rearing practices.

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As written

**6.4.15.2 Location and Setbacks**

**a. Setbacks to property lines**

Hives and related structures that form the apiary shall be located a minimum of thirty (30) feet from any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way and a minimum of ten (10) feet from all other property lines. Apiaries shall not be located between the principal building and any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way. In the case of an unimproved right of way, this provision may be modified by the Planning, Building and Development Department Director in consultation with the appropriate local roadway authority.

Proposed change

**6.4.15.2 Location and Setbacks**

**a. Setbacks to property lines**

Hives and related structures that form the apiary shall be located a minimum of thirty (30) feet from any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way and a minimum of ten (10) feet from all other property lines. ~~Apiaries shall not be located between the principal building and any adjoining improved alley, or easement for purposes of ingress or egress or road right-of-way.~~ In the case of an unimproved right of way, this provision maybe modified by the Planning, Building and Development Department Director in consultation with the appropriate local roadway authority.

Justification

As written the paragraph would prohibit bee hives in the front yard of homes or where alleys run by the house. Hive placement in front or side yards should be acceptable if the 30 foot required setback rules are met for improved alley, easement or road right of way.

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As written,

**c. Fencing**

On parcels of 40,000 square feet or less, hives shall be enclosed behind a minimum four-foot high secured fence, hedge, or wall.

**Proposed Change**

**c. Fencing**

On parcels of 40,000 square feet or less, hives shall be enclosed behind a minimum four-foot high ~~secured~~ fence, hedge, or wall. Alternatively, the apiary is to be posted with commercially available or signs indicating the existence of an apiary.

LCBA

Signs shall be installed at 10 foot intervals in a square surrounding the hives, minimum of four (4) signs are required for any apiary covered under this ordinance.

Justification:

This is a cost driver for the beekeeping public. Beehives are not the same threat as an unprotected swimming pool. A split rail fence provides adequate protection and is already used in some public venues (Ryerson Nature Center). The posting of signs is a lower cost option of cautioning the public.

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**As written**

**d. Flyway Barrier**

On parcels of 40,000 square feet or less, **where the beehive entrance is oriented to an exterior property line**, a six-foot high, solid flyway barrier (e.g. fence, wall, or dense shrub) shall be located within three (3) feet in front of the entrance to the hive and shall extend ten (10) feet in either direction, perpendicular to that entrance.

**Proposed change**

**d. Flyway Barrier**

On parcels of 40,000 square feet or less, **where the beehive entrance is oriented to an exterior property line**, a six-foot high, solid flyway barrier (e.g. fence, wall, or dense shrub) shall be located between the hive entrance and the property line and shall extend five (5) feet in either direction. ~~within three (3) feet in front of the entrance to the hive and shall extend ten (10) feet in either direction, perpendicular to that entrance.~~

Justification.

Six foot high fence, wall or dense shrub will still act as flyway barrier for the property line even if further away from the hive. As originally written the paragraph could have required two barriers: the property line and a Four foot fence requirement.

This change allows for more flexibility from parcel to parcel by allowing the use of exiting property line fences or dense shrubs, without incurring unnecessary expense and will most likely result in less unsightly looking compliance while still achieving the desired effect.

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As written

**6.4.15.3 Management Practices**

**a. Water Supply**

A non-diminishing supply of water shall be provided within fifteen (15) feet of the hive. Water supply shall be designed to allow bees to access water by landing on a hard surface. Water requirement shall be in effect from April 1 – Nov. 30 or any and all days in which temperature exceeds 55 degrees for 3 consecutive days.

**Proposed changed**

**6.4.15.3 Management Practices**

**a. Water Supply**

A non-diminishing supply of water shall be continuously available and located provided within the parcel fifteen (15) feet of the hive. Water supply shall be designed to allow bees to access water by landing on a hard surface. Water requirement shall be in effect from April 1 – Nov. 30 or any and all days in which temperature exceeds 55 degrees for 3 consecutive days

Justification.

Non-diminishing is confusing and could be misinterpreted to require automated watering systems. 15 feet is unnecessarily restrictive. In the case of water front property a water source will be readily available and preferred by the bees but the hives may not be within 15 feet of the shore. In this case the lake, or pond, shoreline would work. Landing on a hard surface has to do with safety of bees not people – this is best left to beekeepers to decide individually.

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As written

**b. Requeening**

In any instance in which a hive exhibits unusually aggressive characteristics, the property owner shall destroy or requeen the hive within fourteen (14) days of observation. Queens shall be selected from stock bred for gentle characteristics; documentation of such shall be made available upon County request.

Proposed Change

**Requeening**

In any instance in which a hive exhibits unusually aggressive characteristics, as verified by Illinois Apiary inspector ,property owner shall destroy, or requeen the hive within fourteen (14) days of observation. ~~Queens shall be selected from stock bred for gentle characteristics documentation of such shall be made available upon County request.~~

Justification:

Removes some of arbitrary nature of how to make the decision on aggressiveness and brings in local expertise. Hive temperament will be modified by any queening. Local queen breeders are providing locally raised queens from winter survival stock which may provide additional resistance to pests. No breeder provides documentation as to the temperament of their queens.

There are differing ways of managing a hive including how to replace a queen -simply removing the queen starts the process of creating a new queen who will then mate with local stock.

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As written

**d. Equipment**

Hives not under active human management and maintenance shall be dismantled or removed. Other beekeeping equipment shall be kept secured, so as to prevent "robbing" or occupancy by other stinging insects.

Proposed Change:

**~~d. Equipment~~**

~~Hives not under active human management and maintenance shall be dismantled or removed. Other beekeeping equipment shall be kept secured, so as to prevent "robbing" or occupancy by other stinging insects.~~

Justification:

Delete paragraph. The paragraph just adds confusion. Beekeepers place empty hives in field to attract and capture swarms. Robbing is a process that occurs to a weak hive, this is a natural process and is outside of the scope of safety as is the focus of an ordinance.



34555 North Red Oak Lane  
Gurnee, IL 60031  
July 24, 2012

To Whom It May Concern:

I am a practicing emergency room physician who has worked in Libertyville, Highland Park, Waukegan and Chicago, Illinois as well as Kenosha and Chippewa Falls, Wisconsin. I have been practicing since 1979 and have seen about 8,500 patient visits per year for 34 years. That is over 280,000 patient visits.

In that time I have treated hundreds of "bee stings." Of these bee stings, 99.7% are not bees, but wasps. The number of people who at some time in their lives have been stung by a wasp that go to an emergency room might include 10% of the population. The number of honeybee stings I have seen in 34 years has been two of over 280,000 visits. The wasps are the problem and not the honeybees.

The honeybee crisis is so severe in Europe that they are making EU laws about the use of pesticides that are responsible for the crop failures. Honeybees are essential for crops and the U.S. food supply. They are also essential for the flowers that beautify your village. Gardening is the #1 hobby in the U.S.

I would ask that you reconsider your take on the honeybees. If you want to ban wasps, I agree, but that would be impractical. Honeybees are helping to feed America and beautifying your village or city. Keep in mind that your decision does not only impact the beekeepers advocating for their hives, but their bees which lead to the pollination of everything within a two-mile radius. Honey is also a great farmers market product.



Dr. Michael Oster





## Husemoller, David

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**From:** Larry Studer [larry\_studer@yahoo.com]  
**Sent:** Thursday, October 10, 2013 4:13 PM  
**To:** Husemoller, David  
**Cc:** Lake County Beekeepers  
**Subject:** Regulating Lake County Honeybee Colony Placement

**Categories:** Red Category

Mr. David Husemoller, Senior Planner and The Members of the Lake County Planning, Building, and Zoning Committee

Re: Local Food Amendments  
RPC Approved 9/29/13

I operate several Illinois Registered Apiary Locations in Lake County, Illinois. They produce local honey, queens, startup colonies, and have been sites for outdoor classes. My apiary production sites are in good standing with the Illinois Department Of Agriculture.

I do not know of any documented statistics that warrants creating additional regulations on honeybee management in Lake County, Illinois. We have state regulations that are science based with the resources to monitor, educate, and enforce.

I oppose the existing county regulation regarding the placement of honeybee housing based on the size and zoning of a parcel of property. Unless you can control the air space, honeybees will seek resources on properties regardless of size, zoning, or use. They are known to forage for resources in a 2-3 mile radius (some times more) of their hive. That is their nature.

Portable beehives have had their place in residential backyards for many years. They are part and parcel of backyard food production, providing pollination to cultivated food crops and offering hive products for food and medical care to their caregivers. Today you can find many honeybee colonies safely functioning in residential areas, regardless of size of the lot. They are strategically located to provide a safe place for the bees and accessibility for the beekeeper's management. Homeowners with properties offering limited available ground space often elevate the hives. They safely located them on raised platforms, on rooftop deck areas, or balconies if there is little space for them on the ground.

Some how, the rule makers decided that keeping bees in lake county governed residential communities was not appropriate. This imposed standard, removed the right of the homeowner to produce his own food (raw honey) on his/her property. However many portable beehives remain and function in residential backyards. I know of not one documented local issue, that warrants placement of any regulation that would restrict this food producing activity in our community.

Fear, should not spirit new regulations. Education would be a more effective tool.

I suggest we do not make silly rules just to have preemptive regulations. I think it is time we take a fresh approach to this issue and allow portable beehives on any size property residential or otherwise. The state apiary law would continue to prevail over the honeybee colonies as it does today.

Those who know the true nature of today's honeybee understand that we need honeybees in our outdoor environments.

Kindest regards,  
Larry Studer

The Studer Farms  
36642 North US Highway 41  
Gurnee, Illinois 60031-1020

Illinois Apicultural Registration Number 8194

Peter J. Poli  
P.O. Box 895  
Antioch IL, 60002  
Original letter dated Oct 2<sup>nd</sup> 2013  
Updated  
October 11, 2013

Mr. David Husemoller  
Senior Planner  
Planning, Building & Development Department  
George Bell, Jr. – Chairman Zoning Board of Appeals  
Gregory G. Koeppen - Vice Chairman Zoning Board of Appeals  
Members of the Zoning Board of Appeals

Re: Local Food Amendments – requested alterations

I have penned this letter to propose a number of alterations to the proposed Local Food Amendment that is in process. Prior to October 3<sup>rd</sup> 2013 I had a suspicion that a large portion of the members of the Lake County Beekeepers Association were unaware of the specific language of the proposed Local Food Amendments of the UDO. I shared this letter with the members in attendance at the monthly meeting on October 3<sup>rd</sup> 2013. I found out I was on the right track when the majority of the members in attendance were entirely unaware and realized that they all currently had some form of violation in their bee yards if using the ordinance as it sits in present form. Many of whom would be in direct conflict with the majority of the ordinance as written. Furthermore many members were highly concerned with specific hive management language that did not apply and that would only really be able to be properly interpreted by a licensed apiary inspector. It is with this understanding that I present the following letter for your consideration.

Separately I have a few comments related to the Chicken keeping section as well.

The changes that I would like to propose are related to actual bee behavior and best management practices.

#### **6.4.15.1 Number of Beehives**

Two beehives (hives) shall be permitted on a minimum lot area of 10,000 square feet, and one beehive shall be permitted for each additional 10,000 square feet. There shall be no limit on the number of hives kept on parcels with an area of 200,000 square feet or more.

I would like to formally request that the minimum lot area be dropped entirely from 6.4.15.1 my reasons are as follow:

The habitat of bees is beyond all listed lot sizes in this proposed amendment, the range a honey bee can fly to forage is as far away from the hive as three to five miles. If a prospective beekeeper has 10,000 – 20,000 – 200,000 – or even 2,000,000 square feet of property (1/4, 1/2, 5, or 46 acres respectively) the inhabitants of the colony (honey bees) will certainly travel beyond the borders of the parcel owner who is attempting to keep bees. I propose that 6.4.15.2 be used in deciding whether or not bees can be kept on a parcel since it already clearly outlines setbacks. If all of the setbacks as outlined in 6.4.15.2 can be met then at least two hives and two five frame nucs should be allowed on a parcel. I for one would be excluded from keeping bees at my property since my parcel is less than 10,000 square feet however I could possibly meet all of the setback requirements. Why should I be excluded due simply to square footage since the bees will be flying well beyond the property lines of all regulated parcels?

#### **6.4.15.2 Location and Setbacks**

##### **a. Setbacks to property lines**

**Hives and related structures that form the apiary shall be located a minimum of thirty (30) feet from any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way and a minimum of ten (10) feet from all other property lines. Apiaries shall not be located between the principal building and any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way. In the case of an unimproved right of way, this provision maybe modified by the Planning, Building and Development Department Director in consultation with the appropriate local roadway authority.**

I respectfully request that the second sentence be amended to remove *road right of way* from said sentence. The reason being that if all other setbacks are met and there is ample room between the primary structure and the road right of way then bees could be kept in said area.

**c. Fencing**

On parcels of 40,000 square feet or less, hives shall be enclosed behind a minimum four-foot high secured fence, hedge, or wall.

I respectfully request that an additional alternate compliance sentence be added as follows:

Alternatively the apiary is to be posted with signs that read STAY AWAY HONEY BEES BEYOND THIS SIGN, signs shall be installed at 10 foot intervals in a square surrounding the hives, minimum of four (4) signs are required for any apiary covered under this ordinance.

The posting of signs is an improvement over a hedge or fence or even a wall since the signs would provide information to the passerby verses a separation from the unknown.

**d. Flyway Barrier**

On parcels of 40,000 square feet or less, **where the beehive entrance is oriented to an exterior property line**, a six-foot high, solid flyway barrier (e.g. fence, wall, or dense shrub) shall be located within three (3) feet in front of the entrance to the hive and shall extend ten (10) feet in either direction, perpendicular to that entrance.

Section d. assumes that if these obstacles are not arranged exactly as stated honey bees will come into contact with the path of humans. Honey bees do not fly in to the hive from the side of a hive at a distance of 10 feet each side, however you will be forcing them to do this with the placement of the entrance of the hive (3) feet from the flyway barrier. The flyway barrier could be reduced to a total of (6) feet, 3 feet in each direction, this would cover the flight path alteration that is being sought verses 20 lineal feet of fence wall or dense shrub for one hive. Now we add 4 feet between hives and we would need a wall 24 feet long if we were to be compliant for 2 hives. This would be beyond overkill. Furthermore if a dense shrub fence or wall 6' feet high was to exist on the entrance side of a hive on the parcel in question then the natural flight path of the bees would be to fly over the obstacle and continue upward higher than the nearest structure and or tree. This path continues upward and does not level off until a height above the trees of the surrounding area is reached. Additionally the honey bee does not make its decent in elevation until it has reached the nectar source. So it can be said that a honey bee will not fly back down once it has left the hive and flown over a flyway barrier whether the hive is situated 3 feet away or 40 feet away from said barrier.

I propose the following as a replacement for section d.

d. Flyway Barrier

A flyway barrier of at least 6 feet in height will be required on the entrance side of the hive for parcels 40,000 square feet or less.

A change to the three (3) foot distance of entrance verses barrier could play a big roll with the flyway barrier location– why not change this distance to ten (10) foot. This would allow an existing 6 foot fence or shrub that on a property line to serve as the flyway barrier. An example would be a corner of a parcel with two 6 foot fence walls – simply add two more sections of fence and a gate and you will have the flyway barrier and the fencing requirements properly compliant on said parcel with little effort.

This change allows for more flexibility from parcel to parcel without incurring unnecessary expense and will most likely result in less unsightly looking compliance while still achieving the desired effect.

#### 6.4.15.3 Management Practices

##### a. Water Supply

~~A non-diminishing supply of water shall be provided within fifteen (15) feet of the hive. Water supply shall be designed to allow bees to access water by landing on a hard surface. Water requirement shall be in effect from April 1 – Nov. 30 or any and all days in which temperature exceeds 55 degrees for 3 consecutive days.~~

I would like to respectively propose to change 6.4.15.3 a. to remove *within fifteen (15) feet of the hive along with the words non diminishing*. After “provided” add “on or immediately adjoining the parcel.”. In the case of water front property a water source will be readily available and preferred by the bees but the hives may not be within 15 feet of the shore. In this case the lake, or pond, shoreline would work. A source of water would exist on the waterfront parcel and compliance for varying site conditions could be allowed whether a artificial water source was provided or a natural one existed. The last sentence is far reaching and unnecessary as it relates to temperatures and actual bee behavior – please strike it from existence – it relates more to arid regions than our geographic location.

**b. Requeening**

In any instance in which a hive exhibits unusually aggressive characteristics, the property owner shall destroy or requeen the hive within fourteen (14) days of observation. Queens shall be selected from stock bred for gentle characteristics; documentation of such shall be made available upon County request.

I would like to request that “unusually aggressive characteristics” either be accurately defined or removed from 6.4.15.3 b. Any seasoned bee keeper will tell you that body language and speed of movement can give the impression that bees are being aggressive. When you approach a hive a few bees will most likely fly around you to check you out, they might even land on your clothing or skin. This could easily be interpreted by a non beekeeper as aggressive behavior since people are generally not happy to have insects flying in close proximity to themselves. I would expect a person who experiences this to believe that the bees were “swarming all over them” when in actuality the bees were simply investigating. The natural reaction by humans is to swat at the close flybys - then the fast movements of the person swatting at them can sometimes be interpreted by the bees as threatening or aggressive which is met with a like response by the bees. I hope that I have just illustrated that knowledge of basic bee behavior is needed to enforce this – what employee do we have that can fairly witness understand and either take or not take appropriate action and possibly write or not write a proper violation? How many people can even tell the difference between a honey bee and a yellowjacket? Same size, similar colors, all looks the same to a non keeper.

Furthermore this section indicates the only ways to deal with “unusually aggressive behavior” is to either destroy the entire hive (no small feat) or requeen. There are many other ways to deal with this situation however this section in its current form does not allow for any flexibility. Many beekeepers raise their own queens, some even share them with other beekeepers. A keeper can also simply remove the queen and the colony will create a new one.

I would like to see *removing the hive from the parcel* as being an additional option along with language that basically gives the bee keeper flexibility in changing the genetics of the hive to allow for different management practices while accomplishing code compliance.

What will the distance be from the hive to the witnessed behavior? If a neighbor 3 parcels away has a run in with bees on his or her porch and calls in the incident to LCPBZ are we to know she or he can tell the difference between yellowjackets and honey bees? At this point it is reasonable to hypothesize that said person would be shaken and just want the suspected colony of bees dealt with under the code – even if they are down the street. I think it would be wise to include language that indicates the unusually aggressive behavior must be witnessed in the Apiary on the parcel in question.

**d. Equipment**

Hives not under active human management and maintenance shall be dismantled or removed. Other beekeeping equipment shall be kept secured, so as to prevent "robbing" or occupancy by other stinging insects.

This section leaves interpretation of stacked but empty and secured hives awaiting bee package or swarm arrival as a violation. It would not be uncommon to set up hives prior to delivery of packages in the spring. Also – once a keeper has what is known as drawn brood comb from a hive that did not over winter he or she would not want to dismantle the hive and allow wax moth to destroy the wax. Also – A keeper may collect feral swarms to occupy the hive, sometimes it can take a month or more to be at the right place at the right time. What is the definition of active human management? Bees will inhabit a set up hive within X number of days or the hive will need to be removed? Other stinging insects do not take up residence in a unoccupied hive – moths will. You can attract a feral swarm with an unoccupied hive. If one were to be attempting to attract a swarm would such a practice be considered active human management? Robbing is a natural occurrence that can sometimes be managed and other times not. I would recommend removing the second sentence in its entirety so that the County can keep to the more straight forward aspects of beekeeping and not attempt to perform duties and observations best left to a trained apiary inspector. Quite honestly the entire section of management practices should be left to a trained apiary inspector from the department of agriculture to assure beekeepers are not unfairly cited.

**End beekeeping comments – Begin chicken comments on next page**



As written

**Amend Article 6, Subsection 6.4.16/ Accessory Uses/ General Standards/  
Chickens (p.6-50)to read as follows:**

The keeping of hens, the female of the chicken species *Gallus gallus domesticus*, shall be permitted in single family residential zoning areas, on zoning lots of 10,000 square feet or greater, provided the following conditions are met.

**6.4.16.1 Number of Hens**

Up to six (6) hens shall be allowed on a non-exempt residential property. There shall be no limit on the number of hens kept on parcels with an area of 200,000 square feet or more.

**6.4.16.2 Chicken Coops and Yards**

**a. Chicken Coop**

Hens shall be kept in an enclosed outdoor coop, an accessory structure used for the purpose of keeping live chickens, so as to offer protection from weather elements and from predators and trespassers.

Coops shall be built and kept in such a manner, large enough to provide at least two (2) square feet per hen and allow the hens easy ingress and egress to an enclosed chicken yard.

**b. Chicken Yard**

Coops shall be connected with an enclosed chicken yard or run.

Hens may be allowed to roam in a fenced back yard but shall not be allowed to roam outside of the fenced yard. Hens must be returned to the secured chicken coop each night.

As stated prior, I have a parcel that is less than 10,000 sq feet. So I would be excluded from keeping chickens on my parcel if this ordinance was allowed to remain as written. 6.4.16.2. states that coops will provide at least 2 square feet per chicken, if a maximum of 6 chickens were to be allowed then twelve square feet would be required. A coop would only have to be 3' x 4' to be able to house six chickens. The run or fenced yard requirement is not outlined however generally 4 to 8 square feet per chicken is a commonly used standard when calculating the size of a chicken run.  $8 \times 6 = 48$  sqft of run then add the 12 sq feet of coop as outlined in the new proposed ordinance and you have a area roughly the size of 1 ½ sheets of plywood or roughly an area the size of a sub compact car ( Ford Escort ) for example. This is all that is needed to keep 6 chickens the 10,000 square foot minimum parcel requirement does not fall in line with commonly enforced ordinances across the United States. Why would we want to restrict people from caring for an animal that eats ticks, other bugs including Japanese beetles, left over kitchen scraps reducing the strain on our landfills, and provides manure highly sought after for garden soil amendments? Furthermore keeping chickens as pets will allow the fine residents of Lake County to collect eggs

Peter Poli  
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and teach thier children where their food comes from. Additionally why do the chickens have to be returned to their coop at night as outlined? Do dogs have to be placed inside of the residence or a dog house at night? That having been said chickens will do this naturally and will not require such language to be provided so as to ensure their proper care – was there going to be any mention of water being supplied for chickens as it is for bees? Chickens do need access to water.

Lastly six chickens on a parcel no matter the size is a bit restrictive, Salem Wisconsin (just north of Lake County) allows 20 chickens on 2 acres. I would propose 6 chickens on parcels up to one acre, and 6 additional chickens per additional acre up to 200,000 square feet (5 acres).

I urge further discussion and refinement of the proposed “Local Food Amendments to the UDO” for the simple reason that towns and villages will be looking to this ordinance for guidance and even adoption in the future. There is no need to push this through right now, April of 2014 is the soonest a prospective beekeeper can even obtain a package of bees and start the practice of bee keeping. I look forward to speaking with you in further detail.

Sincerely,

Peter J. Poli  
Keeper of Bees  
262-945-6033

Qualifications:

Lake County Employee

Currently have 10 hives, tend to six chickens, have presented on keeping bees in both Wisconsin and Illinois at various public venues including Spring Into Gardening for the Racine, Kenosha, and Walworth Counties Master Gardeners program, the Kenosha County Fair, and the Antioch Community Library. I build and sell sustainable beehives and provide continuing education as it relates to the hobby of beekeeping. I have taught multiple individuals over the past few years how to keep bees in hives I have built for them and continue to provide them with technical support.

October 11, 2013

I am a resident of Wildwood, Illinois, and unincorporated Lake County. A neighbor on my street owns chickens. There is no inconvenience or negative impact to the neighborhood due to the chickens, only wonderful benefits. There is no disruptive noise or smell associated with them. My grandchildren, great-nephews and children of friends when visiting always want to go see the chickens. They hold them and collect the delicious fresh eggs. None of the children have contracted disease from handling them either. There is an educational value to the chickens as well, to those of us born in the "city" and city dwellers that come to Lake County to visit.

Sandra Drewes



To the board:

As a neighbor to a handful of hens, I can say that they are not a nuisance to me in any way. I cannot smell them, I rarely hear them and when I do it's nothing compared to the average barking dog - it's more of a soothing 'gurgle' that frankly makes me happy. My grandson enjoys watching them and once in a while I am treated to the freshest eggs I've ever had. They are happy, well cared for, delightful little creatures.

As a person who is greatly concerned with the decline in the quality of the food supply, I cannot state strongly enough how important it is for people to be able to have the option of raising their own food. Most of us would be excluded from that option at the proposed ½-acre limitation while a ¼-acre would be much more inclusive.

I want to know what's in my food. In the case of eggs, specifically, I only recently discovered the fact that significant amounts of soy isoflavones are present in eggs. Now, I am not here to argue the merits/dangers of soy but rather assert my right not to ingest it if I so choose. There is growing concern regarding the overuse of soy in the American diet.<sup>1, 2</sup>

Whether one agrees or disagrees with that specific concern, food allergies are on the rise. While the evidence I've seen to support the theory that at least some people who believe they are allergic to eggs are actually allergic to the soy IN the eggs would be considered anecdotal,<sup>3</sup> the evidence of the soy's presence is well documented in a 2009 study.<sup>4, 5</sup> This study was produced from a pro-soy standpoint, and it's fascinating that it is being used to promote soy-free eggs.<sup>6</sup> Even if one feels they can afford the whopping eight dollars per dozen, the ability to be able to produce those high quality eggs on a commercial level is currently under attack.<sup>7</sup>

If your concern is that by allowing the ¼-acre limit a rash of henhouses will suddenly pop up across the county, consider the pace at which you live your own life. Then look at the people you encounter every day, do you really believe most of us have the time and/or energy for such an undertaking? As resolute as I am about what I eat I can barely manage my single tomato plant. Instead, I struggle to pay for things labeled organic, grass-fed, free-range and non-GMO ~ all terms with plenty of room for ambiguity. So I am left paying premium prices for products that may only be marginally better than their conventional counterparts.<sup>8</sup> The only way to know for sure is to do it myself. Should I one day find the determination to do so, I would be most appreciative to have the option to be able to raise my own hens for eggs. In the mean time, I am grateful for the eggs supplied by my neighbor who has hens on a ¼-acre. Thank you.

Brenda  
Wildwood resident

1. The Magic Bean  
<http://www.thedoctorwithin.com/soy/Magic-Bean/>
2. Recovery from Modern Diets\_

<http://www.westonaprice.org/blogs/kdaniel/2012/05/27/soy-ling-egg-yolks-hidden-soy-from-animal-feeds/>

3. What Came First? Soy or Egg Allergy?

<http://adventuresofanallergicfoodie.com/2013/09/17/soy-or-egg-allergy/>

4. Quantification of Soy Isoflavones in Commercial Eggs and Their Transfer from Poultry Feed into Eggs and Tissues

<http://www.phoenixorganicfeed.com/uploads/1/7/4/8/17482879/>

[full\\_thesis\\_study\\_of\\_soy\\_transfer\\_from\\_feed\\_into\\_eggs\\_and\\_tissues.pdf](#)

5. Quantification of Soy Isoflavones in Commercial Eggs and Their Transfer from Poultry Feed into Eggs and Tissues

[http://rave.ohiolink.edu/etdc/view?acc\\_num=osu1236706764](http://rave.ohiolink.edu/etdc/view?acc_num=osu1236706764)

6. Organic Soy-free Eggs from GrassFed Traditions

[http://www.grassfedtraditions.com/organic\\_soy\\_free\\_eggs.htm?](http://www.grassfedtraditions.com/organic_soy_free_eggs.htm?)

[utm\\_source=HIN&utm\\_medium=image&utm\\_campaign=Eggs#Research](#)

7. No More Organic Eggs?

<http://www.cornucopia.org/newsletter/last-chance-tell-fda-lay-organic-laying-hens-fight-defend-outdoor-access-chickens/>

8. Organic Egg Scorecard

<http://www.cornucopia.org/organic-egg-scorecard/>

Peter J. Poli  
P.O. Box 895  
Antioch IL. 60002  
November 4, 2013

To : Lake County IL.

Re: Local Food Amendments – requested alteration

I would first like to respectfully request that all of the comments regarding beekeeping that were added at the Zoning Board of Appeals be kept as is and continue on to a vote by the Lake County Board.

That having been said I am not at all happy with the recommendations regarding the keeping of chickens as forwarded by the ZBA. With all due respect. Those who insisted to raise the minimum square footage from a quarter acre to a half acre could not remove the thought of industrial poultry farming to be able to see that urban chicken keeping is an entirely different way of going about the interaction between people and their food.

One of the common misconceptions is that chickens will smell bad. This one could not be simpler to fix, simply write and enforce that coops and runs will be kept clean and free from detectable odor on adjoining parcels.

The next argument against urban chickens is that allowing chickens in backyards will come with noise – chicken noise – the ordinance already states that roosters will not be allowed. Roosters make the noise – not much really but some people do not like the sound. When I first decided to keep chickens I asked my neighbors how they felt about it? Each neighbor said the same thing “your not planning on keeping roosters are you?” I said no and that they should bring any problems to my attention right away. Now they just want to help collect the eggs. Hens are quiet, they purr, cluck, and once in a while they squawk. All of these noises are less detectable than a barking dog. They are more quite than a field mouse at night when they are roosting. A dog in my neighborhood barked all night long Christmas Eve a few years back because it wanted to be let in. Chickens just puff up when it is cold, get a little closer to each other on the perch and wait for morning. No noise, no fuss. Period.

To the rally cry of “ Chickens will attract predators.” To this I state that more households have small dogs and cats which have been disappearing due to coyotes feeding on them. On a percentage basis way fewer homes will have chickens than have cats and small dogs. So who is really attracting the predators? Let’s say for a minute that chickens will

attract predators, most likely hawks, this is a problem for the owner – he or she loses the chicken and the hawk flies away. How is this a code enforcement issue? The loss is that of the chicken keeper. Birds of prey are attracted to bird feeding areas all over the county – do we have a ban on feeding birds so that predators and rodents are not attracted? The bird food hits the ground and attracts rodents. The grocery stores all sell big bags of seed that is in many cases just thrown out on the ground to attract wild birds whose presence attracts predators. Perspective is everything.

The property values will drop – ever had a house appraisal performed? The more activities allowed on a parcel the more valuable it is. Take Rhode Island for example - As stated in the Providence Business Journal, “The fact that chickens are legal in many of the state’s hottest property markets would seem to point to flocks now being considered desirable by potential buyers.”

I would like to make my next comment on the salmonella concerns that surfaced at the ZBA meeting. Yes there was a salmonella outbreak, yes 92 people became sick, and yes 24 of them spent some amount of time in a hospital, finally the CDC did send out a warning about backyard chickens being a possible cause for concern. There are however additional facts that were not presented as related to this occurrence:

1 person was from Illinois, 1 person from Wisconsin – I would go on and on but the fact is that the sickening of 92 people was across the entire USA. You would also like to know that the traceback investigation lead to one single hatchery who sent out chicks mail order thus allowing for wide spread cases though few and far in-between when considering the entire country. You may also like to know that not one single case resulted in a death. Diarrhea and abdominal cramps nothing more. The CDC did make a statement in regards to the 92 cases – always wash hands after handling any animal or pet and that adults should supervise children to be sure they wash properly. This was an isolated incident and is not by any means the norm. And now you know the rest of the story.

I don’t know why I need to illustrate that chickens do not need very much room when Chicago has an ordinance that allows the keeping of chickens on any lot regardless of square footage. The next part may really shock you – there is no limit to the number of chickens you can keep in Chicago. I have checked Google news, and searched the web. City lot values are not dropping due to poultry procurement, children are not being rushed to the hospital with salmonella, a loud and thunderous clucking has not drown out the sounds of the city, rodents are not on the rise due to improperly stored chicken feed, predators are not taking over the streets and skies, all is actually quite well - and low an



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behold - the sky is not falling. I mention Chicago since it is so close and so large of a city. Do we really want the windy city to be more in tune with the green movement than Lake County Illinois? Do you realize that the standard city lot is 5,000 square feet or 1/8<sup>th</sup> of an acre? If you will recall I mentioned that there is no limit to the number of hens you can keep on a city lot in Chicago.

For some reason a few remaining holdouts insist that a lot must be 20,000 square feet to keep six chickens. You only need 8 square feet of pen and 3 square feet of coop per chicken. Six chickens can be kept in an area of 66 square feet. The car you were in this morning most likely takes up an area of 78 square feet. So yes Chicago has recognized that Chickens need very little space to thrive so little in fact that the area required for six chickens is less than a parking space for one car. What more is it going to take for us to come to the same conclusion? Why are we looking to be exclusionary instead of inclusionary when it comes to keeping chickens? The actual area required to keep six chickens is 66 square feet not 10,000.

It is not as though we are breaking new ground with the consideration of this local food ordinance - the following communities/cities in Illinois already allow the keeping of chickens some of which are rural some are not rural at all, the list is as follows:  
West Dundee, Evanston, Downers Grove, Westmont, Galesburg, Centralia, Jacksonville, Plainfield, Lombard, Oak Park, St. Charles, Loves Park, Brookfield, Naperville, Decatur, Chicago, and last but not least Springfield Illinois which allows for 6 chickens and you can keep the manure to use for fertilizer on the property!

Keeping Chickens on small city lots is working so well in Seattle that the city council just raised the number of hens allowed on any lot less than 10,000 square feet ( less than a quarter acre) to eight plus you can have one more chicken for each 1,000 square feet your lot is over 10,000. Using Seattle's ordinance you can keep 18 chickens on a half acre.

If for some reason this endeavor still seems too risky, just too dangerous, with too many unknowns, then please grant me just one wish. Let us gather our own data. Allow up to six chickens on any lot that can meet the setbacks as outlined. Let this happen for 12 continuous months as a county wide test. At the end of the 12 months let all of the citations be listed, let the complaints be voiced, let the actual occurrences help us shape a true, functional, and applicable ordinance.

Sincerely,

Peter J. Poli

**Chicago Illinois Chicken Ordinance**

Are Chickens Allowed in this location	Yes
Max Chickens Allowed	unlimited, but only as pets and for eggs
Roosters Allowed	
Permit Required	No
Coop Restrictions	Must be of a "humane" and adequate size for the animals, also, must be clean and sanitary
City/Organization Contact name	
Additional Information	7.12.300: No person shall own, keep or otherwise possess, or slaughter any sheep, goat, cow or the young of such species, poultry, rabbit, dog, cat, or any other animal, intending to use such animal for food purposes. <a href="http://www.amlegal.com/library/il/chicago.shtml">http://www.amlegal.com/library/il/chicago.shtml</a> <-- link to the entire municipal code The focus is on maintaining a clean, humane coop, not being a noise nuisance, and not keeping chickens for slaughter.
Link for more Information	<a href="http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates\$fn=default.htm\$3.0\$vid=amlegal:chicago_il">http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates\$fn=default.htm\$3.0\$vid=amlegal:chicago_il</a>

**Qualifications:**

Lake County Employee

Currently have 10 hives, tend to six chickens, Built multiple chicken coops, current chicken coop has a compost soil filled roof with turnips growing on it, have presented on keeping bees in both Wisconsin and Illinois at various public venues including Spring Into Gardening for the Racine, Kenosha, and Walworth

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Counties Master Gardeners program, the Kenosha County Fair, and the Antioch Community Library. I build and sell sustainable beehives and provide continuing education as it relates to the hobby of beekeeping. I have taught multiple individuals over the past few years how to keep bees in hives I have built for them and continue to provide them with technical support.

