

AGENDA

THE POOLESVILLE PLANNING COMMISSION

August 10, 2022

19721 BEALL STREET

7:00 PM

To join the meeting, go to Youtube.com. Search "Pooleville"

Click the "Filter" Icon and Click "Today"

The Town Planning Commission Meeting will be visible

A link is also on the Town Webpage

The meeting starts at 7 PM. You will only be able to see the meeting once it starts

1. **Call To Order**
2. **Citizen's Comments On Agenda Items**
3. **Announcements**
4. **Approval Of Minutes**
 - 4.I. **Minutes Of July 13, 2022**
5. **New Business**
6. **Old Business**

- 6.I. **Chicken Ordinance Request**

Documents:

[CITIZEN COMMENTS.PDF](#)

- 6.II. **Food Truck Ordinance**

Documents:

[FOOD TRUCKS.PDF](#)

- 6.III. **Comprehensive Plan Discussion**

Documents:

[POOLESVILL COMP PLAN PROPOSED SCHEDULE 08-10-2022.PDF](#)

7. **Adjournment**
8. **Citizen's Comments On Agenda Items:**

To be able to speak During public comment, whether in person or virtual, you will need to contact Town Hall by noon on the day of the meeting to obtain access for the meeting. You will have to have access to Zoom Conferencing to join the meeting, if virtual.

**Public Testimony is Limited to Three Minutes
This is a tentative agenda subject to change.**

Citizen's Comments on Chickens

August 4, 2022

I live at xxxxx Dowden Circle in Poolesville. I'm writing in support of keeping hens in backyards within Poolesville. Advantages include fresh eggs, insect control, and practical lessons for our kids about responsibility. Currently our kids look after chickens at their school and love caring for them. Disadvantages include attracting foxes (raccoons, etc) and the possibility of chicks turning out to be roosters. As long as we can make it easy to donate accidental roosters to local farms, the advantages outweigh the disadvantages.

I fully support the backyard Hen initiative and think it is paramount that we in the ag reserve are able to participate in this low-impact, high-reward activity. Chickens make wonderful pets, and are easy to care for. Common sense goes a long way to stave off fears from the past from a couple of poorly managed (pigeon) households. For those of us that have interest in doing this, we just want a few hens to allow our kids to gain experience with raising animals, learning compassion & care, and also providing a nutritious food source. In this ever changing world, it is going to be more and more important to be able to be as self-sustaining as possible. I think with proper regulations in place, like limiting the number of hens, prohibiting roosters, requiring registration/licensing, and proper recourse for those that do not abide properly, we can make sure this is a successful venture. There are studies that show that this does not cause rodent infestation or smells that would decrease property value or quality of life for neighboring households. I have experienced both mice in my house and foxes in my yard with no chickens in sight. It's part of living where we do and I embrace it fully. I have also always dreamed of having chickens, and was one of the things that was so exciting about moving to Poolesville . . .until I read the "no Fowl" foul. I hope you will pass this legislation to allow us to fully participate in raising hens. Thank you!

I want to make my position on Chickens in town I am completely against this. I don't believe people will keep the areas clean and sanitary. I also believe it will attract vermin and other animals. It's bad enough walking in my backyard and smell dog poop that my neighbor doesn't cleanup. Please don't turn the town into a community of smelly chicken coops.

I am writing on behalf of the Wesmond Townhouse Association and would like to provide my comments on the proposed ordinance to allow the keeping of chickens. Item 2 of the proposal concerning setbacks states that "Coops or cages housing chickens shall be kept at least twenty-five (25) feet from the closest door or window of any dwelling or occupied structure other than the owner's dwelling." This has the practical effect of prohibiting chickens from being kept in middle unit townhouses, but may introduce the opportunity for them to be kept in end unit townhouses. Based on the disparity and ambiguity that this would create, I believe it would be best to prohibit them from being kept in any of the multifamily residential communities and that this be stated unambiguously in any proposed ordinance. As an HOA board, we already receive a litany of complaints each year from residents complaining about noise, animal waste, and other generally irresponsible behavior among neighbors that has me concerned that this could turn into another avenue for homeowners' right of peaceable enjoyment of their property to be infringed upon. Additionally, as an HOA board, we have not received any expressions of interest from homeowners that they be allowed to raise chickens.

Please let me know if you would like to discuss further.

I have some serious concerns surrounding chicken maintenance, rule/code enforcement (we have one part-time code enforcement officer), coop property line set-backs, smells, roosters, predators, etc.

Even more important, in my book, is the importance of maintaining the overall harmony of all of our residents, including the peaceful enjoyment of property, which is a basic right accorded to both owners and tenants. Keeping our residents amicable and in unity with each other, in the long term, is actually harder than it looks and has shaped the direction of our leadership/planning, with few exceptions, over the last 20 years. It's a balancing act. We are a small town where most everyone knows each other and, for the most part, gets along. Do we need to introduce a quality of life variable that could pit neighbor against neighbor?

Part of the long term balancing act is taking into consideration who we have become as our small town continues to evolve. We're truly a unique community with \$1.5 million+ dollar homes within earshot of \$250k townhomes. There is, and always has been, an undercurrent of income disparity and class struggle in town (and if it's not obvious then the town is both lucky and doing its job). When we are operating on all cylinders, our town staff, our appointed boards, and our elected officials remember that Poolesville is made up of an eclectic mix of old and new residents, high and low incomes, small-lot neighborhoods and large-lot neighborhoods, and we make our decisions for the overall good of the residents accordingly.

I am writing to support the chicken keeping initiative that my wife started. We have been keeping backyard chickens for years and have never had issues with neighbors or the towns where we have lived. If you keep a clean coop and make sure that your hens are well cared for, they are never a problem.

Elizabeth has already shared factual documentation that supports this hobby as being a positive, joyful experience for families to live more sustainably. The myths and misinformation about rodents and predators are only a result of not securing chickens or their food properly. Educating neighbors about responsible chicken keeping is the key and my wife has offered to teach workshops on this for our town.

Please consider changing the zoning laws to allow residents to keep chickens legally, so that we can come together as a community to do so in a responsible manner. Thank you for your time and consideration.

Sincerely,

I am writing in support of passing new Town regulations that would allow for sensible guidelines to enable residents to keep a small flock of hens.

Keeping poultry is in line with our ag identity, strengthens our local food system, contributes to more healthful diets, minimizes the carbon footprint of our meals, and gives families the opportunity to teach kids about producing food. There have been good points of concern and solid suggestions brought up for this topic on the Town's FB page and I believe people's concerns should be addressed and proactively dealt with in the new regulations.

Finally, I am a passionate gardener and fledgling bee keeper; I would love to add a few chickens to my backyard but would only do so if in line with Town regulations. Thank you for your consideration of this positive change to local regulations and for all the work you do to make Poolesville a wonderful place.

I am writing to request that raising chickens in town limits please not be allowed.

I am a property owner in town and have been for thirty years and I do not want any chickens on any property adjoining mine. My property value will indeed go down simply by people not wishing to purchase any home next to a adjoining property with a coop.

Sent from my iPad chicken waste stinks something awful. They indeed can draw vermin. People can talk about” if “the coop is properly maintained, well who is going to enforce that or any of the other rules?

I do not want one next to me and if the town makes the mistake of allowing this chicken raising in side of town then PLEASE make it a rule that anyone who is going to raise chickens must first obtain the signed permission from each property owner that connects with the property they intend to raise their chickens on and without signed permission they cannot put coop or chickens on the requested property.

We DO NOT support the motion of chickens in the residential yards in Poolesville.

Private homes in our planned communities are not farms. The local farming community has specialized expertise, commitment, and equipment to handle outdoor birds (and more).

We don't believe anyone can ensure all chicken guidelines are met, it's just not realistic. Our town does not have the resources to police this situation and volunteer residents are not empowered – nor should they be watching private residences. Will we now need to keep watch on our neighbors for chicken regulations?

Food Trucks

Definition: A vehicle, trailer, or cart from which prepared food or drink for human consumption is sold or dispensed. Such vehicle may be self-propelled, towed or pushed by another vehicle.

Food truck operators must obtain the necessary permits and licenses prior to vending. The following steps are required to ensure that the business has complied with all applicable regulations.

Temporary Use Permit – A Temporary Use permit is required to operate within the corporate boundaries of Poolesville. Operators must indicate dates and hours of operation and contain a site plan showing the proposed location of the food truck, parking and adjacent structures/uses.

Site Location – Food trucks are permitted as an accessory use:

1. On private property, In the Commercial Zone and must be compatible with the principal uses taking place on the site and to the surrounding zones and uses.
2. In conjunction with Special Events or park facilities

External Effects – A food truck cannot disturb the area via noise or other disturbance. Trash cannot accumulate in the area.

Administrative Fee – The Commissioners of Poolesville shall set an appropriate fee, which will be part of the Town's fee schedule and may change from time to time.

Other Approvals – All other required permits must be obtained, such as permits from the Montgomery County Health Department

Standards - Food trucks may be operated from an approved location, subject to the following procedures:

- (a) Each year, the owner or operator of any food truck doing business in Town must file a food truck temporary use permit application with the Town.
- (b) The permit application must be accompanied by the written consent of the private property owner or authorized agent authorizing the food truck to be located on the site.
- (c) Town permit/approval is contingent on approval from all Montgomery County Health Department and Consumer Services permits/licenses.
- (d) Food trucks can operate 6 a.m. and no later than 9 p.m.
- (e) Permitted trucks can be parked at a location no more than four days a week.
- (f) A maximum of two food trucks are permitted at any one location at the same time, provided that additional food trucks may be permitted in conjunction with special events.
- (a) Food trucks may not be located in any fire lane, travel lane, entrance/exit, or any required parking space.
- (b) Food trucks must be located on a level, paved, or gravel surface with safe pedestrian access.
- (c) The vicinity around the food truck must be kept clean and free of debris.
- (d) Trash receptacles must be provided.
- (e) Upon the finding that the application complies with the standards set forth, the Town Manager will approve the permit application, setting forth conditions that protect the public health, safety and welfare and adequately protect adjoining properties from any adverse impacts of the

food truck, which may include, but are not limited to, hours of operation, location, parking, vehicular access, and safety requirements.

Any food truck zoning permit is revocable by the Town Manager because of the failure of the property owner or the food truck operator to comply with any of the provisions of this section.

Food trucks operating as part of Town Sponsored Events are exempt from these provisions.

TOWN OF POOLESVILLE COMPREHENSIVE PLAN UPDATE

PROPOSED SCHEDULED – AS OF AUGUST 10, 2022

PROPOSED PROJECT SCHEDULE

AUGUST 2022

- 10 **Planning Commission Meeting** – Draft Comprehensive Plan Schedule Presentation
- Overview of Proposed Schedule and Next Steps.
 - Reminder of Elements of Comprehensive Plan

SEPTEMBER 2022

- 14 **Planning Commission Meeting** –Comprehensive Plan Update
- Update on status of Stakeholder Interviews
 - Chapter Updates: Introduction, Town Profile, Housing, and Transportation
- TBD **Planning Commission Working Session** –Working Session to Discuss Goals and Objectives
- Facilitated working session to discuss goals and objectives for consideration as chapters are developed

OCTOBER 2022

- 12 **Planning Commission Meeting** – Draft Comprehensive Plan Update
- Summary of Planning Commission Working Session
 - Additional discussion on items for consideration
 - Chapter Updates: Land Use, Environmental Resources and Sensitive Areas, and Water Resources

November 2022

- 9 **Planning Commission Meeting** – Draft Comprehensive Plan Update
- Update on previous chapters review and status
 - Chapter Updates: Municipal Growth and Economic Development

December 2022

- 14 **Planning Commission Meeting** – Draft Comprehensive Plan Update
- Complete Draft of Comprehensive Plan presented for Planning Commission Review only

January 2023

- 11 **Planning Commission Meeting** – Comprehensive Plan Presented for Public Review
- Draft Comprehensive Plan released for public review
 - Draft Plan circulated for agency review and comments
- 16 **Town Commissioners Meeting** – Presentation of Draft Comprehensive Plan
- Update on Comprehensive Plan, Public Open House, and Schedule

February 2023

- 8 **Planning Commission Meeting** – Comprehensive Plan Update
- Update on public and agency comments received to date
 - Opportunity for public comments on Draft Comprehensive Plan

March 2023

- 8 **Planning Commission Meeting** – Comprehensive Plan Public Hearing
- Update on public and agency comments received
 - Update on revisions to Draft Comprehensive Plan based on comments received

APRIL 2023

- 12 **Planning Commission Meeting** – Comprehensive Plan Public Hearing
- Planning Commission Public Hearing for Recommendation to Adopt (if minor comments in March, could vote to adopt then, extra month added for any updates or revisions)
- 28 **Town Commissioners Meeting** – Comprehensive Plan Update
- Presentation on Comprehensive Plan for Adoption