

CITY OF PERU PERU PLANNING COMMISSION



Peru Planning Commission Regular Meeting November 1, 2016 6:00PM Common Council Room

PERU PLANNING COMMISSION

ROLL CALL Rick Day(p), Sandy Faust (a), Carrie Young(p), Vincent Edmund (p), Joseph Molyneux (p), Phyllis Torrence (p)

READING & APPROVING PREVIOUS MONTH'S MINUTES

Copy of previous month minutes was given to Phyllis Torrence. She looked over the previous month minutes because she was not present at the October 11, 2016 meeting. Vincent Edmund approved previous month minutes. Joe Molyneux second. All approved.

OLD BUSINESS:

- **Bee keeping within city limits ordinance discussion**

Vincent Edmund discussed issues we have come across through the bee ordinance. New zoning administrator has been hired. Previous zoning administrator had sent information for a proposed new ordinance, which pertained to bee keeping within city limits. Vincent Edmund would like to see research and a new proposed ordinance from the new zoning administrator at the December 13, 2016 planning commission meeting. This would give the planning commission a different outlook and more information to make a decision.

My beekeeping within city limits research is attached to 11/1/2016 Planning Commission minutes

- **Alley closing 422 W. 2nd – Carryover from August 9th meeting.**

On August 3rd 2016 NIPSCO responded that we cannot vacate this alley. In September NIPSCO came back to us stating “no building can be constructed on any part of vacated alley”. If this request is met, we could move forward with the alley closing. Proper legal ad was published for alley closing. Adjacent property owner letters were mailed. Vincent Edmund asked if anyone would like to speak on

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35 S. Broadway
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the matter of the alley closing at 422 W. 2nd St. Vincent Edmund made a motion to vote for the alley closing at 422 W. 2nd St. Joseph Molyneux 2nd. Motion was approved by all to vacate the alley at 422 W. 2nd St. with the clause added "No building can be constructed on any part of vacated alley"

- **Chicken Ordinance**

Planning commission advised chicken ordinance was addressed and voted on 3 months ago.

- **Street closing: Delores Ave.**

City attorney, Pat Roberts, advised the board that this would not, legally, be an alley closing. Pat Roberts advised that an alley closing goes 50/50 split to each joining owner. Jim Ray questioned his ability to enter his driveway. He was advised there is enough room to enter his drive. Concerns were given about busses and trash trucks being able to enter by neighboring business owner, Lori Potts. Vincent Edmund advised the risks of a vote on this matter with only 5 members present. It would take all 5 members to vote yes in order to pass. Rick Day made a motion to vote. Second by Joseph Molyneux. Phyllis Torrence was the only board members to vote no.

NEW BUSINESS:

- None.

PUBLIC COMMENTS:

ADJOURNMENT:

Vincent Edmund made a motion to adjourn meeting at 7:04PM. Second by Joseph Molyneux. All approved

Beekeeping within city limit research and conclusion

<http://blog.outdoornation.org/the-pros-and-cons-of-urban-beekeeping/>

<http://beesource.com/resources/elements-of-beekeeping/laws-related-to-bees-and-beekeeping/court-cases-and-legal-precedents-related-to-bees/>

<http://outdoorplace.org/the-pros-and-cons-of-urban-beekeeping/>

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There is no argument that honey is one of the most nutritious foods a human can consume. The economic benefit from beekeeping is a big profit. The growing number of hives within city limits, down the road, could create hives to compete for pollen and airspace. This would create the hives to swarm. There are many court cases, listed in the links above, where neighbors have had to file court cases because of the nuisance neighbors have created with their beekeeping inside city limits. City beekeepers must take special care so their bees do not become a nuisance to neighbors. Honey bees need to collect water, particularly in early spring and during the summer. Bees can be fussy about collecting their water. They seem to love small ponds and creeks. The bees may also drink from a dog's drinking bowl or a neighbor's swimming pool. The defensiveness of bees is greatly influenced by environmental conditions. The same bees that are gentle one day can be very defensive the next. Neighbors mowing can create the bees to become defensive. Angry bees are attracted to lights. There are more lights within the city than in rural settings.

I believe we should keep our current ordinances on beekeeping within city limits.

151.066 RESIDENTIAL DISTRICTS

(M) **The raising or keeping of bees shall be prohibited within the confines of the city limits or within 500 feet from any residence within the city jurisdiction.**

§ 90.15 RAISING BEES.

It shall be unlawful for any person, firm, or corporation to keep and raise bees within the city limits within 500 feet of any building or other structure where people dwell or reside or work or conduct a business, unless the owner or keeper of the bees contains them so that the bees are confined to their own premises, or keeps the bees at an elevation above the surface of the earth which prevents them from alighting and working on and around the dwellings and places of business within the prohibited distance. If the bees are not confined to his property, the owner or keeper of the bees shall keep them at an elevation of not less than 30 feet above the surface of the ground where they are kept. Bees kept within the city in violation of this section are declared a nuisance.

(Penal Ord. of 1917) Penalty, see § [90.99](#) (C)

My opinion is based upon the following: No bees should be kept where it would cause a nuisance or adverse affect of property value for a neighbor. **SOLUTION: beekeepers wanting to move their bees in city limits should submit a special exception variance through the zoning board of appeals. The process of the zoning board of appeals would notify adjacent property owners and advertise legal notification.**

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