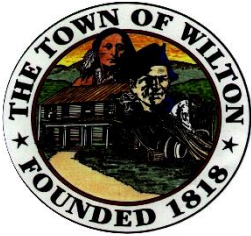


**TOWN OF WILTON  
22 TRAVER ROAD  
WILTON, NY 12831-9127  
(518) 587-1939, Ext. 224**

LISA CLOSSON  
ZONING CLERK



**CODE REVISION COMMITTEE**

**July 13, 2023**

**Present:** John McEachron, Chairman/Deputy Supervisor/Town Board, Duane Bogardus, Councilman, Linda Bottiglieri, Scott Dussault, Dave Gabay, Planning Board, Brett Hebner, Connor Krueger, Mark Mykins, Senior Building Inspector/Code Enforcement Officer, Ryan Riper, Town Engineer, and Richard Spackmann.

\*Duane Bogardus and Connor Krueger were dismissed from the meeting for a fire call at 6:20 p.m.

**Absent:** Tom Murphy, Planning Board, and Chris Ramsdill, Zoning Board

**Discussion Topics:**

- Discussion on green space, parking spaces and banked spaces per use required in C-1 and H-1.
  - WPB (Wilton Planning Board) has discretion on parking
  - Comparison on parking required in other Northway Towns
  - Multi-family garages do not count as parking
  - Suggestion to add islands with trees in parking lots to site design as part of green space
- §129-169 Temporary Merchant; fee shall be \$100.
- §129-176 V. Agriculture with Animals (see attached)
  - Discussion on types and number of animals, pasture size, and location of pasture
- Discussion on implementing an ordinance for Keeping of Backyard Chickens (see attached)
  - Suggestions for lot size
- §108 Solar; Discussion on proposed changes (see <http://townofwilton.com/wilton/assets/File/Town-Solar/2023-06-28%20-%20Solar%20Energy%20Local%20Law%20-%20DRAFT-FINAL%20REVIEW%20to%20ZRC.pdf>)
  - Discussion on being allowed in Residential zones, buffers, and visual impact
  - Discussion on Solar Farms versus Housing Developments

Next meeting 8/10/2023 @5:00 p.m.

## §129-176 Standard Requirements for specific uses

### V.

Agricultural with animals; private stables.

[Added 8-6-1998]

#### (1)

Slope of required pasture land shall be no greater than 15% with a minimum of one third being no greater than 5%.

#### (2)

Pasture/fence line shall be a minimum of 30 feet from any property line and a minimum of 50 feet from any existing well.

#### (3)

Pasture land shall meet ~~the minimum as stated in the attached table of 40,000 square feet for one to three animals, with an additional 13,000 square feet~~ for each additional animal.

Animal Type	Description	Pasture Area Requirement	Number Allowed	Area required for additional
I	Large size farm Cows, Horses, Pigs ect.	40,000 Sf	1-3	13,000 sf for each additional
II	Medium pigmy goats, alpacas, goats ect.	40,000 Sf	6	6,500 sf for each additional
III	Small Chickens, turkeys, rabbits, water fowl ect.	40,000 Sf	12	3,000 sf for each additional

#### (4)

Manure storage shall be located a minimum of ~~100~~ 150 feet from any property line or ~~a minimum of 200 feet from a property line when upgradient~~ from existing wells.

#### (5)

Manure shall be removed on a monthly basis, unless a concrete manure pit or enclosed composting drum is installed.

#### (6)

Pasture land shall be fenced with appropriate fencing, as determined by the Zoning Board of Appeals . Details shall be shown on the plan.

#### (7)

The floor of the barn/stable shall be impervious (e.g., clay soil, wood or concrete flooring). The bedding material on the floor of the barn/stable shall be cleaned out and removed on a weekly basis.

DRAFT

## **129 - \_\_\_\_ Keeping of Backyard Chickens.**

### **Intent:**

The purpose of this ordinance is to provide standards for the keeping of domesticated chickens. The intention is to allow residents to keep a small number of female chickens on a non-commercial basis while creating standards and requirements that ensure that these chickens do not adversely impact the neighborhood or surrounding properties on which the chickens are kept.

### **Permit Required.**

- (a) An annual permit is required for the keeping of any domesticated chickens. The annual permit is personal to the permittee and may not be assigned.
- (b) The fee for an annual permit to keep chickens is \$20.00. This permit may be renewed on an annual basis for \$10.00.
- (c) The applicant shall demonstrate compliance with all the criteria and standards within this ordinance in order to obtain a permit.
- (d) The application for a permit shall be submitted to the Town of Wilton, Building Department.

### **Exceptions.**

Any use specially permitted under Agricultural with animals by the Zoning Board of Appeals or those that fall within the established Saratoga County Agricultural Districts.

### **Number and type of chickens allowed.**

- (a) The maximum number of chickens allowed is six (6) per residential lot regardless of how many dwelling units are on the lot.
- (b) Only female chickens are allowed. There is no restriction as to the species of chickens.

### **Non-Commercial use only.**

Chickens shall be kept for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes under this permit.

### **Enclosures.**

- (a) Chickens shall be kept in an enclosure, chicken tractor, or fenced area (chicken pen) always during daylight hours. Enclosures must be clean, dry, and odor free, always kept neat and in a sanitary condition. They shall be kept in a manner that will not disturb the use or enjoyment of neighboring properties due to noise, odor, or other adverse impacts. The chicken pen shall provide adequate sun and shade and must be impermeable to rodents, wild birds, and predators, including dogs and cats. It shall be constructed with sturdy wire fencing buried at least 12" in the ground or securely wrapped on all sides and the bottom. The pen must be covered with wire, aviary netting or solid roofing.

- (b) Chickens shall be secured within a henhouse during non-daylight hours. The structure shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than 1-inch openings. The use of scrap, waste board, sheet metal or similar materials is prohibited. The hen house shall always be maintained and in good working condition.
- (c) Henhouses, enclosures, chicken tractors, and fenced areas shall be kept no less than 30 feet from any rear or side property line and located behind the primary residence located on the property. Henhouses shall not exceed 30 square feet in size.

**Odor and Noise impacts.**

- (a) Odors from chickens, chicken manure, or other chicken related substances shall not be perceptible at the property boundaries.
- (b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity as determined by the Town, Codes Enforcement Officer.

**Lighting.**

Only motion activated lighting shall be used to light the exterior of the henhouse, and no such lighting shall be detectible beyond the property boundaries.

**Feed and Water.**

Chickens must be always provided with feed and clean water; such feed and water shall be located so it is unavailable to rodents, wild birds and predators.

**Waste and Storage removal.**

Provisions shall be made for the storage and removal of chicken manure and chicken related waste. All stored waste shall be covered by a fully enclosed container not larger than 20 gallons in size. No more than one such container per property housing chickens. Uneaten feed shall be removed in a timely manner so as not to attract pests.

**Violation.**

Each violation of this ordinance shall be subject to a \$25.00 fine; each day a violation continues shall constitute a separate offense. The Town of Wilton shall retain the right to inspect any property to determine whether a violation has been corrected.

**Permit Revocation.**

A permit may be revoked without reimbursement of any fee for:

- (a) Misrepresentation on an application.
- (b) Violation of the provisions of this ordinance, or failure to correct said violation upon reinspection.
- (c) Where it has been determined by the enforcement officer that there is a risk to public health or safety.

**Enforcement.**

Any violation of this ordinance may be enforceable by injunction or other action available under law.

**Removal of Chickens.**

In addition to the penalty under the section labeled as Violation, any violation of the provisions of this ordinance shall be grounds for an order from the Town to remove the chickens and chicken related structures from the property. The enforcement officer may order the removal of the chickens upon determination that the chickens pose a health risk. In the case that a chicken dies, it must be disposed of immediately and in a sanitary manner.