

## Requesting smart, reasonable, safe and sound zoning laws for bee hives

Trachtenberg, Jeff [Jeff.Trachtenberg@henryschein.com]

**Sent:** Tuesday, July 14, 2020 8:37 AM

**To:** PlanningZoningComments; TownCouncilComments,

**Attachments:** HiveLocationOwnershipandMa~1.pdf (22 KB) ; Zoning Ellington Zoning Re~1.pdf (757 KB) ; Zoning New Britain Sec.\_6\_~1.doc (41 KB) ; Zoning West Hartford Zonin~1.pdf (35 KB)

South Windsor Town Council  
South Windsor Planning and Zoning Commission

I write to strongly suggest and encourage that our Town consider, enact and implement an ordinance/regulation to address the important issue of maintaining safe, reasonable and fair management standards for beekeeping in our residentially zoned areas. Minimum standards have already been established in many other local communities for the benefit of the bees, the beekeepers and neighbors on property adjoining the location of the hives. Given the increased interest in apiaries in our Town and the concerns raised by their establishment on residential property without implementation of minimum standards for their management, I respectfully submit it is time for South Windsor to establish its own standards for the residential community.

While the State of Connecticut has enacted a few basic laws regarding bees, those laws essentially address the requirement of a beekeeper to register if that beekeeper has at least one hive and making those bees available for inspection for contagious diseases (Conn. Gen. Stat. Sections 22-89 and 22-90). The State has left further oversight to bee management to individual communities given the benefit of but concomitant danger associated with maintaining bee hives in populous areas (see, e.g., zoning laws of Ellington, New Britain and West Hartford below). Currently, and unlike many other communities, South Windsor has no ordinance or regulation directly regulating bee management with specificity. Although it does have several ordinances that I note below that are or may be relevant, the lack of specific guidelines and regulation creates too much risk and uncertainty to bees, beekeepers and their neighbors. This issue is an important and recurring one that, it is respectfully submitted, requires prompt consideration and action.

To be sure, bees, like honey bees, provide many useful benefits including nectar and pollen and other useful products and services. But they are also wild animals. Allowing the maintenance of bees in populated residential areas should strike a balance between a beekeeper's beneficial desire to manage bees and related hives and the need to avoid being a nuisance or danger to their neighbors. These latter concerns are particularly acute and the need to promote safe beekeeping practices while ensuring the well-being and safety of children and individuals with life threatening allergies to bees in today's age cannot be overstated.

Without any established requirements for beekeeping within residentially zoned areas as presently exists in South Windsor, there are presently *no* limits or guidance from the Town on (1) hive location; (2) the maximum number of bee hives; (3) flight path and (4) hive density. Indeed, when one considers that there are no education requirements and certifications required for beekeepers, no limitations on maintenance of distance between an apiary, on the one hand, to side yards, swimming pools, structures or rear yards of neighbors, on the other hand, no prohibitions from maintaining an apiary in a front yard, no limitations on flight path, no requirements for water sources and their locations for the bees and no proportionality between the number of hives and the size and location of an apiary, the risk to the bees and also to the neighborhood is abundantly clear.

Given the increased interest in apiaries in residential areas and as the father of young children (in addition to my life threatening allergy to bees), I believe there is an urgent and immediate need for safe practices for beekeeping in the form of a Town ordinance. Implementing minimum management practices for beekeeping in residential areas is important to improve the safety and well-being of our community while balancing the needs and interests of beekeepers with their neighbors and to reduce potential conflict with neighboring property owners who are often adversely impacted. For those with allergic reactions and young children, this could be a life or death decision.

For your consideration, I will be referencing our state websites governance on bee ownership "Hive Location, Ownership, and Management of Bee Colonies in Connecticut" as well as local ordinances from New Britain, West Hartford and Ellington as well as South Windsor Town Ordinances.

<https://portal.ct.gov/-/media/CAES/DOCUMENTS/Bee/HiveLocationOwnershipandManagementofBeeColoniesinConnecticutpdf.pdf?la=en>

Some areas of consideration for the health and safety for our residents and their family and friends:

1. As stated in the Hive Location Ownership correspondence "Be very careful in areas where children might play." Please take into consideration of an ordinance where playscapes and other children activities might be located.
2. As stated in the Hive Location Ownership "beekeepers in urban and suburban areas should provide a continuing source of clean water for their bees. This should be placed within 25-50 feet hives."
3. "Honeybees are considered wild animals. It may be prudent to contact an insurance company to determine insurance coverage for bee stings." As stated in this memo bees are wild animals and I, as well as other family and friends, are allergic to bees. This could be a life or death decision on the part of planning and zoning and the town council.
4. Per SW municipal code "Sec. 12-2. – Definitions "Public nuisance means any animal that endangers the life or health of persons or other animals, or substantially interferes with the rights of citizens, other than their owners, to enjoyment of life or property." Please keep in mind the location of the hives and number of hives to property lines. Again, people are allergic to bees and some people are deathly allergic.
5. Municipal code "Sec 12-3 - It shall be unlawful for any person to keep any animal on any property located within the town when the keeping of such animal constitutes a public nuisance or menace to public health or safety." Please keep in mind the location and number of the hive to property lines.

Based on ordinances and management practices that I have reviewed in Connecticut and some other states, I would respectfully suggest the following best management practices for apiaries in a residential zone include at least the following:

- A. Location. Hives should be a minimum of at 25 feet from any side or rear property line, at least 60 feet from a swimming pool or preexisting kenneled animal, and at least 25 feet from any structure. Encourage selection of a discrete site away from neighboring property lines.
- B. Maximum Number of Hives. Based on acreage, 1-4 colonies per lot
- C. Flightpath. Hive entrances should face away from the closest adjacent property and in such a direction that the bees fly across the beekeeper's property at sufficient distance to gain a height of at least the six feet at the property line. Barriers may be utilized to redirect the bees flight  

pathway and establish bee flight pathways above six feet.
- D. Water Source. Ensure there is a water source reasonably close to the hives on the beekeeper's property and shall be located closer to the hive than any water source on adjacent property.
- E. Enforcement. There should be some method of reasonable but appropriate enforcement of the ordinance/regulation.

By understanding the circumstances under which bees will create hazards and pose a nuisance and risk to people, the Town can assist beekeepers to alter circumstances so their bees do not create a problem and yet provide the beekeepers with the benefits they seek and value from the hives.

Below are a few ordinances from some local communities (Ellington, New Britain and West Hartford) that I noted above for your review.

Thank you in advance for your consideration on these smart, reasonable, sound and safe zoning laws. It is the neighborly thing to do.

Jeff Trachtenberg  
 36 Simcka Dr  
 South Windsor CT

## **Ellington**

### **Section 7.14 Agricultural Uses**

#### **F. Keeping of Bees:** *(Added 5-23-16, Effective 6-15-16)*

- a. **Minimum Lot Size:** The keeping of bees shall be allowed on any property greater than or equal to 30,000 square feet.
- b. **Setbacks and Permitting Requirements:** Beehives shall be a minimum of 10 feet from all property lines or conform to the setback requirements of the underlying zone, whichever is greater and shall be a minimum of 25 feet from any dwelling on abutting properties.
- c. **Management:** An adequate on-site source of water for the bees shall be provided.

**New Britain****Sec. 6-37. - Residential keeping of honeybees.**

The keeping of one (1) or more colonies of the common domestic honeybee, *Apis mellifera*, shall be a permitted accessory use. Colonies include a hive and its equipment and appurtenances including bees, comb, honey, pollen and brood.

**(1) Standards.**

- a. Maximum number of colonies on a property shall be as follows:
  1. One-quarter ( $\frac{1}{4}$ ) acre or less—two (2) colonies including up to two (2) nuclei.
  2. More than one-quarter ( $\frac{1}{4}$ ) acre—four (4) colonies and up to three (3) nuclei.
  3. More than one-half ( $\frac{1}{2}$ ) acre to one (1) acre—six (6) colonies and up to six (6) nuclei.
  4. More than one (1) acre to one and one-half ( $1\frac{1}{2}$ ) acre—eight (8) colonies and up to five (5) nuclei.
  5. More than one and one-half ( $1\frac{1}{2}$ ) acre—ten (10) colonies and up to five (5) nuclei.
- b. Colonies shall be located away from road, walkways, or rights-of-way as follows:
  1. Four (4) colonies or less—minimum of twenty-five (25) feet from all property lines.
  2. More than four (4) colonies—minimum of fifty (50) feet from all property lines
- c. Beekeeping and production of honey under this section shall not be used for commercial purposes.
- d. A flyway barrier of at least six (6) feet in height must shield any part of a property line within fifty (50) feet of a colony. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony.
- e. An on-site source of fresh water shall be provide and shall be located closer to the hive than any water source on adjacent property.

**West Hartford****§ 177-12. Keeping of honeybees. [Added 6-13-2017]**

The keeping of one or more colonies of the common domestic honeybee, *Apis mellifera*, shall be a permitted accessory use in those districts specified under § 177-6C, Item 28 of the Schedule, subject to the following:

**A. Standards.**

- (1) The minimum lot size required for beekeeping shall be 6,000 square feet.
- (2) The maximum number of colonies shall be subject to the following limitations:

**Zoning District**

Maximum No. of Permitted	Colonies Per Lot
R-6	1
R-10, R-13 and R-20	2
R-40	3
R-80	4

- (3) All colonies shall be located in rear yards and shall be located not less than 20 feet from any property line.
- (4) A flyway barrier of at least six feet in height must shield any part of a property line within 50 feet of a colony. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony.
- (5) An on-site source of fresh water shall be provide and shall be located closer to the hive than any water source on adjacent property.

*Jeff and Heather Trachtenberg*

36 Simcka Dr  
South Windsor

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7/14/2020

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# **Hive Location, Ownership, and Management of Bee Colonies in Connecticut**

## **Hives**

All honeybee colonies should be housed in hives with frames that can be easily removed. This does not preclude the use of any size or shape of hive, other than the usual 16 x 20 dimensions. Hives should be kept off the ground on wooden pallets or cinder blocks to prevent wood rot. They should be painted and any bad wood replaced. The area around the hives should be mowed and any debris removed. Periodic inspection for disease is recommended.

## **Locating honeybee colonies**

In residential areas, especially near walkways or areas of increased public use, bees need to be encouraged to fly over people's heads. It is suggested that a 6-foot high flyway barrier be built so that when the honeybees leave the hive, they are forced to fly upwards to avoid contact with people. A flyway barrier can be made of wood or plastic at least four millimeters thick and suitably braced. Hay bales or dense vegetation can also be used. Be very careful in areas where children might play.

Honeybee colonies should not be kept in direct sunlight, with proper ventilation and a fresh water source.

## **Water**

In Connecticut, by March 15<sup>th</sup>, beekeepers in urban or suburban areas should provide a continuing source of clean water for their bees. This should be placed within 25-50 feet of the hive (s). Bees become dependent on this source and so will not congregate at nearby swimming pools, animal watering bowls, birdbaths or other water sources used by humans or domestic animals.

## **Maintenance of Honeybee colonies**

Beekeepers should ensure that no burr comb, honey, miticide strips or related materials be dropped around the apiary site. All such material should be disposed of promptly and in sealed containers. Do not leave wet supers recently extracted out for cleaning by the bees, near areas where people or animals frequent. Robber bees that might visit can become unusually aggressive. Where many hives are kept together, place equal strength hives together. This will reduce the tendency of strong hives robbing weaker ones. Hives become more aggressive in late summer and fall or when nectar supplies are reduced. Hive inspections should be curtailed during these periods. During nectar flow, the best time for inspection is between 10:00 A.M. and 2:00 P.M. when temperatures are over 60° F.

If there is a need to feed bees or there is a robbing problem, feed the bees at night removing the sugar source by dawn. During late summer and autumn, reducing the size of hive entrances can reduce robbing.

Some bee colonies may persist with unusually aggressive behavior. Replacing the queen might help. Contact a more experienced beekeeper or inspector for help and advice, if this proves to be too difficult.

In residential areas, place hives out of public view. Place hives behind trees or shrubs, using them as natural flyway barriers. Painting the hives a green or brown to blend them into the landscape may be desirable. In Connecticut, it is not necessary to paint the hives a traditional white. Weather is relatively cool in the state and bees can easily regulate interior hive temperatures.

Offering neighbors gifts of honey is good public relations. In the future, they may be called upon to sign a petition or testify that your bees were no trouble to them. Be a good neighbor. Think that it is a privilege to be able to keep bees, not a right assured by law.

Honeybees are considered wild animals. It may be prudent to contact an insurance company to determine insurance coverage for bee stings.

### **Hive densities in neighborhoods**

Many hives in a heavily residential neighborhood is not a good idea. One or two hives is better. Common sense should prevail. Contact the State bee Inspector or advise.

### **Ownership and marking of hives**

It is suggested, that any **apiaries not on** the beekeepers own land, should have a clear visible sign, showing the name and telephone number of the owning beekeeper. One sign could be placed on each end hive. Alternatively, a small sign might be placed next to the apiary. If there is no sign, then it is assumed that the apiary belongs to the owner of the land on which the hives have been placed. If there were a complaint, then the landowner might be contacted.

### **Summary**

The above suggestions are made in the hopes of avoiding "bee problems". At times, as a beekeeper, you may be blamed for wild bee activities. Hopefully these suggestions will minimize problems and make us better managers of our bees.

List your name with the local police and fire departments as a person willing to collect bee swarms. Everyone benefits from a quickly collected swarm. Registering your name with the deputy state entomologist at the Connecticut Agricultural Experiment Station, New Haven as someone willing to collect swarms, both benefits you and the community. The station telephone number is (203) 974-8479.

Joining a bee club is recommended, [Ctbees.com] they will provide source information, support, and keep you up to date with new ideas and developments in the beekeeping industry. It is also the law to register honey bee hives with the State Entomologist. [www.ct.gov/caes](http://www.ct.gov/caes) The State bee Inspector at The Connecticut Agricultural Experiment Station is trained to help you be a better beekeeper and to help you prevent the spread of honeybee diseases and can be contacted at 203-530-5743.

April 8, 2014

**Zarambo, Lauren L.**

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**From:** Lipe, Michele  
**Sent:** Thursday, July 2, 2020 2:24 PM  
**To:** Zarambo, Lauren L.  
**Subject:** FW: Possible Revision of regulation to promote community connectivity

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please include a copy of this correspondence and also a copy of the legal notice in Frank B and Bart's packets.

Thanks,  
Michele

Michele M. Lipe, AICP  
Director of Planning  
1540 Sullivan Ave.  
South Windsor, CT 06074  
(860) 644-2511, ext. 252

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**From:** Bart <bpacekonis@gmail.com>  
**Sent:** Tuesday, June 30, 2020 11:57 AM  
**To:** Robert Dickinson <rdickinson@snet.net>  
**Cc:** Lipe, Michele <Michele.Lipe@southwindsor.org>  
**Subject:** Re: Possible Revision of regulation to promote community connectivity

Thank you Robert. We will read your communication at our next meeting. Appreciate your input.  
Bart

Sent from my iPhone

On Jun 29, 2020, at 9:01 PM, Robert Dickinson <[rdickinson@snet.net](mailto:rdickinson@snet.net)> wrote:

Subject: Possibility of modifying South Windsor subdivision regulation for inclusion of Multi-use side paths or sidewalks on all arterial/connector roads/streets to promote community connectivity.

Hi Michele,

The following is a section of Windsor's subdivision regulations that could be a guide on how South Windsor regulations might be revised to better guide developers to help the town provide pedestrian and bicycle community connectivity.

**Windsor subdivision regulations, Ref pg 3-7:**

**"C In the interest of pedestrian safety, when a subdivision has frontage on an arterial street, as identified in the Windsor 2004 Plan of Conservation and Development, sidewalks shall be required on both sides of the street. The developer shall only be responsible for the sidewalk along their frontage on the side of the street contiguous to the proposed development. Sidewalks beyond the frontage of the proposed development and on the opposite side of the street shall be provided as those properties are developed or as the Town may provide at its discretion."**

A few weeks ago I rode on Day Hill Road in Windsor East going from junction of Bloomfield Ave for about 2 1/2 miles on the Multi-use side paths (about 3/4 mi. newly constructed) and was impressed as to how they were able to have developers include them in their developments. I contacted the town planner to ask and below is the E-mail I receive from Windsor's Director of Planning - Eric Barz.

Sincerely  
Robert Dickinson  
860-644-1986

(would it be of value for me to read this into a P & Z meeting record at a feature meeting?)

----- Forwarded Message -----

**From:** Barz, Eric <[barz@townofwindsorct.com](mailto:barz@townofwindsorct.com)>  
**To:** 'Robert Dickinson' <[rdickinson@snet.net](mailto:rdickinson@snet.net)>  
**Cc:** Sealy, Todd <[sealy@townofwindsorct.com](mailto:sealy@townofwindsorct.com)>; Ozaki, Lisa <[ozaki@townofwindsorct.com](mailto:ozaki@townofwindsorct.com)>  
**Sent:** Wednesday, May 6, 2020, 10:04:20 AM EDT  
**Subject:** RE: Side path on Day Hill road abutting "The Preserve at Great Pond"

Robert,

We have a requirement in our subdivision regulations that all new development must provide a sidewalk along its frontage or alternatively a bike path. Day Hill Road, being an arterial road requires a sidewalk or path on both sides. Local and collector streets only require one side, so a developer is off the hook if the existing sidewalk is on the other side of the street.

Our Zoning Regulations also require a sidewalk or trail for all new development, and redevelopments and additional development can also require new trails or sidewalks if the commission finds that the proposed development is likely to generate pedestrian traffic. We recently had a hotel site that predated the subdivision requirement but when they added a second hotel to the site, the commission determined that that second hotel would warrant the sidewalk.

For older, existing developments on Day Hill Road, we have been asking for easements and constructing the trail incrementally, as part of our capital improvement program.

Eric Barz



**From:** Robert Dickinson [mailto:[rdickinson@snet.net](mailto:rdickinson@snet.net)]

**Sent:** Wednesday, May 6, 2020 9:56 AM

**To:** Barz, Eric

**Subject:** Side path on Day Hill road abutting "The Preserve at Great Pond"

**[ EXTERNAL E-MAIL ]**

Eric Barz

Windsor Town planner

275 Broad St.

Windsor, CT 06095

Dear Eric,

I have admired the multi-use side path(s) that have been installed along Day Hill Road in Windsor. I am member of South Windsor Walk & Wheel Ways and we have been trying to get Multi-use Side Paths in our commercial areas installed when new development takes place. (with limited success)

Do you have requirements for Multi-use side paths in Zoning Regulations to require developers to install them or is there some other way you get them? (we might like to copy for South Windsor)

Thank You

Bob Dickinson

860-644-1986