



TOWN OF MILLIS

Robert Cantoreggi, *Chairman*
 George Yered, *Clerk*
 Catherine C. MacInnes
 James McKay
 Nicole Riley
 Richard Nichols, *Assoc. Member*

OFFICE OF THE PLANNING BOARD

900 Main Street • Millis, MA 02054

Phone: 508-376-7045

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Camille Standley
 Administrative Assistant
 cstandley@millis.net

April 27, 2015

Received April 27, 2015
 5:45 p.m.

To: Town Clerk, Town of Millis

From: Town of Millis Planning Board
 Robert Cantoreggi, Chairman (RC)

Jim Jaurhalin
Lisa Jane Hardin
 Town Clerk

Re: Public Hearing held Tuesday, April 14, 2015, at the Veterans Memorial Building, Room 229, to see if the Town will vote to amend the Zoning Bylaws, as most recently amended, by amending the section identified herein as follows, or to take any other action related thereto:

(Note: This article should be voted before the zoning amendment on the raising and keeping of chickens, as the reference to "poultry" remains in this article. In this order, this article can be voted at Town Meeting regardless of how Town Meeting votes on the zoning amendment regarding chickens.)

Article: _____ Table 1 – Use Regulations: by amending Accessory Use #16, by deleting the words "or penned" and inserting the following new language, "Any fenced-in area shall be allowed up to the property line," such that the bylaw, as amended, shall state "Accessory building for keeping of livestock, horses or poultry (non-commercial). Provided that they are not housed within 40 feet of property line. Any fenced-in area shall be allowed up to the property line," and appear as follows within the Table:

Principal Uses	Residential				Commercial			Industrial	
	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
ACCESSORY USES									
16. Accessory building for keeping of livestock, horses or poultry (non-commercial). Provided that they are not housed within 40 feet of property line. Any fenced-in area shall be allowed up to the property line.	SBA	SBA	SBA	N	N	N	N	N	N

The public hearing was opened at 7:36 p.m. with notice being read by Mr. Yered, Clerk. Mr. Cantoreggi explained that this zoning amendment is to allow for clarification by deleting the words "or penned."

After due notices having been published in the Milford Daily News, a newspaper of local circulation, under dates of March 31, 2015, and April 7, 2015, a public hearing was held on Tuesday April 14, 2015, at 7:36 p.m. in the Veterans' Memorial Building, Room 229.

Planning Board Members present: Robert Cantoreggi, Chairman
George Yered, Clerk
Catherine C. MacInnes
James McKay
Nicole Riley
Richard Nichols, Associate Member

Others present: Scott Fuzy, 15 Stony Brook Dr.

There being no further discussion, on a motion made by Ms. MacInnes, seconded by Mr. McKay, it was unanimously voted to close the public hearing on the proposed zoning bylaw amendment at 7:40 p.m.

At a meeting of the Millis Planning Board held on April 14, 2015, on a motion made by Ms. MacInnes, seconded by Ms. Riley, it was unanimously voted **to recommend the article as written above** at the annual 2015 spring Town Meeting. Voting on this article was: Robert Cantoreggi, George Yered, Catherine C. MacInnes, James McKay, Nicole Riley, and Richard Nichols.

Cc: Charles Aspinwall, Town Administrator
Board of Health
Board of Selectmen
Finance Committee
Building Dept.
File



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April 27, 2015

Received April 27, 2015
 5:45 p.m.

To: Town Clerk, Town of Millis

From: Town of Millis Planning Board
 Robert Cantoreggi, Chairman 

Jim Jantolin
Lisa Jane Hardin
 Town Clerk

Re: Public Hearing held Tuesday, March 24, at the Veterans Memorial Building, Room 229, continued to Tuesday, April 14, 2015 (due to revisions to the proposed amendments by Town Counsel) to see if the Town will vote to amend the Zoning Bylaws, as most recently amended, by amending the various sections identified herein as follows, relative to the keeping and raising of chickens for non-commercial purposes, or to take any other action related thereto:

Article: _____

1. Section II – Definitions: by amending the definition of “Agriculture” by inserting after the word “poultry” the phrase “as a commercial enterprise” and by inserting before the word “swine” the phrase “the keeping and raising of”, such that this segment of the definition as amended shall read: “the keeping and raising of poultry as a commercial enterprise, the keeping and raising of swine, cattle and other domesticated animals used for food purposes”;
2. Table 1 - Use Regulations: by amending Agricultural Use #5 by deleting the words "and poultry" and inserting the word “and” before the word “horses”;
3. Table 1 – Use Regulations: by amending Accessory Use #16 by deleting the words “or poultry” and inserting the word “and” before the word “horses”;
4. Table 1 – Use Regulations: by inserting a new Accessory Use #16A, “Non-commercial raising and keeping of poultry”, and by inserting in the columns for the various Zoning Districts that such use is allowed by right, by special permit or prohibited as follows:

Principal Uses	Residential				Commercial			Industrial	
	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
ACCESSORY USES									
16A. Non-commercial raising and keeping of poultry	P	P	P	N	P	P	P	P	P

5. Table 1 – Use Regulations: by inserting a new Accessory Use #16B, “Accessory building for keeping and raising of non-commercial poultry, provided that they are not housed within 10 feet of a property line. Any fenced-in area shall be allowed up to the property line.” And further, by inserting in the columns for the various Zoning Districts that such use is allowed by right, by special permit or prohibited as follows:

Principal Uses	Residential				Commercial			Industrial	
	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
ACCESSORY USES									
16B. Accessory building for keeping and raising of non-commercial poultry, provided that they are not housed within 10 feet of a property line. Any fenced-in area shall be allowed up to the property line.	P	P	P	N	P	P	P	P	P

The public hearing continuation was opened at 7:30 p.m. with notice being read/summarized by Mr. Yered, Clerk. Mr. Cantoreggi explained that the necessity of the zoning amendments is to rectify the conflict between the Town’s “Domesticated Fowl or Rabbit Regulations” General Bylaw, approved at the November 4, 2013 Town Meeting, and the Town’s Zoning Bylaws. These amendments streamline the process for allowing chickens for non-commercial use through permitting from the Board of Health.

After due notices having been published in the Milford Daily News, a newspaper of local circulation, under dates of March 6, 2015, and March 13, 2015, a public hearing was held on Tuesday March 24, 2015, where it was continued to Tuesday, April 14, 2015 at 7:30 p.m. in the Veterans’ Memorial Building, Room 229.

Planning Board Members present: Robert Cantoreggi, Chairman
George Yered, Clerk
Catherine C. MacInnes
James McKay
Nicole Riley
Richard Nichols, Associate Member

Others present: Scott Fuzy, 15 Stony Brook Dr.

There being no further discussion, on a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted to close the public hearing on the proposed zoning bylaw amendments at 7:35 p.m.

At a meeting of the Millis Planning Board held on April 14, 2015, on a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted **to recommend the article as written above** at the annual 2015 spring Town Meeting. Voting on this article was: Robert Cantoreggi, George Yered, Catherine C. MacInnes, James McKay, Nicole Riley, and Richard Nichols.

Cc: Charles Aspinwall, Town Administrator
Board of Health
Board of Selectmen
Finance Committee
Building Dept.
File

Town Clerk Report Chicken Bylaw Amendments for 6-8-15.doc

Town of Millis General Bylaw Amendment (revised 3/17/15)

Domesticated Fowl and Rabbit Regulations

Article ____ : To see if the Town will vote to amend its General Bylaws, as most recently amended, by amending Article XXII, Domesticated Fowl or Rabbit Regulations, as noted below, or take any other action relative thereto.

- a) By amending Section 4, Registration & Inspections, by deleting the following paragraph, as it current appears, in its entirety:

“Except as provided for below, as part of every application made under these regulations, an applicant shall provide a copy of a certified abutter’s list obtained from the Assessors and written notice of his/her intent to raise or keep domesticated fowl or rabbits, to be sent by the Health Director to parties in interest in the manner set forth in M.G.L. Ch. 40A, Section 11. The notice shall fully and accurately describe the location and the proposed number and type of animals, as well as all associated structures and facilities. This notices hall also indicate that abutters have the right to file with the Health Director written comments in support of or objecting to the application, and shall indicate the deadlines, as set forth below, for submission of comments.”

- b) By amending Section 4, Registration & Inspections, by inserting the following new language after the second paragraph:

“Applicants shall provide, at their own expense, a copy of a certified abutter’s list obtained from the Assessors identifying each direct abutter to the property for which the application is filed, along with the applicant’s written notice of his/her intent to raise or keep domesticated fowl or rabbits. At the applicant’s expense, the Health Director shall send, by certified mail, written notice of the application to the abutters identified by the Assessors, which notice shall fully and accurately describe the location and the proposed number and type of animals, as well as all associated structures and facilities. This notice shall also indicate that direct abutters have the right to file with the Health Director written comments in support of or objecting to the application, and shall indicate the deadlines, as set forth below, for submission of comments.”

- c) By amending Section 4, Registration & Inspections, by deleting the following paragraph, as it currently appears, in its entirety:

“No certified abutters list, nor any notice to abutters, nor an administrative hearing, shall be required in those instances where a special permit will also be required under the Town’s Zoning Bylaw for the keeping or raising of animals subject to an application under this bylaw.”

- d) By amending Section 6, Administrative Hearing, by deleting the following language as it currently appears in the first sentence:

“Where no special permit will be required under Millis’ zoning for the keeping or raising of animals for which application is also being made under this Article.”

- e) By amending Section 6, Administrative Hearing, by deleting the last sentence as it currently appears and replacing it with the following sentence:

“The Health Director shall give written notice of the time and place of the hearing, not less than seven (7) days prior to the hearing, to the applicant by certified mail, to abutters by certified mail, and by posting with the Town Clerk.”