

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
March 2, 2015**

ROLL CALL:

Members Present: Eric Prause, Chair
Horace Brown, Secretary
Andy Kidd

Alternates: Pat Kennedy (Sitting)
Teresa Ike (Sitting)
Julian Stoppelman (Sitting)

Absent: Susan Shanbaum
Michael Stebe

Also Present: Mark Pellegrini, Director of Planning
Renata Bertotti, Senior Planner
Matthew Bordeaux, Environmental Planner
Karen Logan, Recording Secretary

The Chairman opened the Public Hearing at 7:14 p.m. The Secretary read the legal notice for the application.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning Regulation Amendment (2015-006) - To revise the zoning regulations to define “livestock,” to allow the keeping of hens and potbellied pigs as accessory uses in residential zones, and to remove the keeping of poultry (permitted under the proposed definition of livestock) from the list of permitted uses in the Rural Residence zone.

Members sitting on this application were Mr. Prause, Mr. Brown, Mr. Kennedy, Ms. Ike and Mr. Stoppelman. Mr. Kidd recused himself from sitting on the application 2015-006.

Mr. Matthew Bordeaux, Environmental Planner, discussed the proposed amendment which would permit the keeping of hens on residential properties, add a definition of livestock, remove the keeping of poultry from the list of permitted uses in the rural residence zone, and exclude the keeping of potbellied pigs from uses prohibited in residential zones.

Mr. Bordeaux said the amendment allows for a maximum of 12 chickens which must be kept in a covered, predator-proof coop providing a minimum of two square feet per hen. Additionally, the chickens must have access to an outside fenced area and the coop must be located a minimum of 25 feet from any neighboring dwelling. The hens must not be kept in the front yard and an individual 18 years of age or older must be on hand to oversee the chickens when they are let outside of the fenced in area. The coop must be kept in an orderly, sanitary condition free of offensive odors and there is no slaughtering of chickens allowed outdoors. The amendment specifically refers to female chickens or hens to avoid the noise that would be caused by male chickens, he said.

Livestock would be defined as animals raised for domestic or commercial purposes, including

but not limited to horses, donkeys, cattle, sheep, pigs, goats, llamas, alpacas and poultry, Mr. Bordeaux said. This definition provides a distinction between pets and animals kept for commercial purposes. He said that currently the keeping of livestock is prohibited in residential zones, so in order for pot bellied pigs to be allowed as pets, this amendment would exclude potbellied pigs from the definition of livestock.

In Article II, Section 1.03.03, the amendment proposed to change the regulations to delete the provision for keeping of horses, the keeping of fowl or poultry, and the keeping of pigeons, since these animals would be included in the proposed definition of livestock.

Finally, the proposed amendment would delete Article II, Section 2.01.02, which states that poultry may be kept in Rural Residential zones, assuming the Commission would adopt regulations allowing the keeping of chickens in residential zones. The new regulation, if adopted, would render this regulation unnecessary.

Mr. Bordeaux cited Manchester's Plan of Conservation and Development, Section III, identified Aspirations, Opportunities and Challenges, and identified an interest in food source protection and encouraging production of local food. This interest is increasing, as well as an interest in sustainable living. This proposed amendment is consistent with the opportunities described in the Plan of Conservation and Development. At the conclusion of the presentation, Mr. Bordeaux asked for questions and comments.

Mr. Brown asked for clarification that residents will be allowed to keep up to twelve hens but only on lots with single family homes in residential zones. Mr. Bordeaux confirmed that was correct. Mr. Brown asked if pigeons were being deleted because they are considered poultry.

Mr. Pellegrini said when this regulation review began, it was in response to specific requests from residents to be able to keep hens on residential properties, and the frequent requests for variances to allow that activity. As the Planning Department began to draft this amendment, it was to allow people in residential zones to keep hens and pot bellied pigs. Pigeons are now specifically prohibited, but because pigeons would be classified as poultry in the new amendment, it became redundant to list them as prohibited in two places.

Mr. Prause clarified there haven't been any changes to the regulations regarding the keeping of pigeons. The amendment simply proposes to eliminate multiple occurrences of that prohibition in the regulations.

Mr. Stoppelman asked whether the proposed changes would have any effect on Wickham Park. Mr. Pellegrini indicated that Wickham Park has existed for many years, and the current proposed amendment certainly would not affect its status.

Since the proposal specifically mentions hens, Mr. Prause asked if there would ever be a need for roosters. Mr. Bordeaux indicated that roosters were not needed unless you wanted to have chicks. Mr. Prause also asked why an individual at least 18 years old had to be present when hens were let out of their enclosures. Mr. Bordeaux indicated that provision was taken from a model regulation.

Mr. Prause then opened the meeting for public comments.

Ms. Tracy Scott, 210 Tanner Street, presented her statement regarding the benefits of keeping

chickens. She pointed out that fresh free range eggs are more nutritious than caged eggs, and chickens provide organic pest control by eating the bugs in the yard, including fleas and ticks, which results in improved health for the family. Chicken waste provides organic fertilizer. In addition to being low maintenance, chickens are quiet and entertaining.

Ms. Tracy Longoria, Manchester resident and Manager of CCC Feeds & Farm Supply said their poultry sales are higher than any other form of livestock. People start calling in March asking about when chicks will be available. The majority of CCC's customers are Manchester residents, she said. Chickens are flock animals and allowing twelve chickens makes for a happier and healthier flock, so twelve is a good number, Ms. Longoria said.

Mr. Brown asked if the proposed 2 square feet per hen was adequate in Ms. Longoria's opinion. She responded that it absolutely was. Mr. Prause asked what kind of an enclosure would be considered predator-proof? Ms. Longoria replied that there are different kinds of predators in addition to ground predators, so the enclosure must protect the chickens both from the ground and the sky. The enclosure should have some sort of netting or protection from flying predators, such as hawks, as well as ground animals.

Ms. Bertotti read an email received from Ms. Mary Texeira supporting the amendment.

Mr. Stoppelman asked when the amendment would go into effect and Ms. Bertotti indicated it would be on March 20th.

Mr. Prause asked for any other comments from staff, but there were none.

Mr. Kennedy moved to close the public hearing portion of the meeting. Mr. Stoppelman seconded and the motion passed.

The amendment will become effective on March 20, 2015.

The Chairman closed the public hearing at 7:50 p.m.

I certify these minutes were adopted on the following date:

May 4, 2015
Date

Eric Prause, Chairman

NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.