



TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

2 HIGH STREET
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Notice of Decision Map 045, Lot 102 Conditional Use Permit Application

Applicant: Mary Palmer

Owner: Mary Palmer

Location: 285 Robinhood Rd, E. Wakefield, Map 045, Lot 102

On December 7, 2023 the Planning Board of the Town of Wakefield conducted a public hearing for a Conditional Use Permit to allow chickens, as a personal agriculture use, on the .72 acre parcel, located within the Residential 1 Zone.

The board reviewed the eight (8) criteria as detailed in Article 29 of the Zoning Ordinance that must be met for a Conditional Use Permit to be granted. For each, the board's findings were as follows:

1. "Agriculture-Personal" is allowed in the Residential 1 district subject to issuance of a conditional use permit. By a vote of 4-0-0 the board concurred that this criterion was met.
2. The keeping of chickens would not be contrary to the Master Plan and would maintain the rural character of the community. By a vote of 4-0-0 the board concurred that this criterion was met.
3. Applicant noted there are 10 well cared for hens on the 0.72 acre lot. They are kept in a 10x10 yard during the day, shed at night, and any free ranging on the lot is under direct supervision. Additionally, the area where the hens are kept is buffered by trees. As such, the site location and size is adequate for the keeping of chickens. By a vote of 4-0-0 the board concurred that this criterion was met with the condition that no more than 10 chickens be kept on the property.
4. The use will not adversely affect the character of the area given that the property is well buffered, the shed is surrounded by trees, and it is common to have hens within a rural area. By a vote of 4-0-0 the board concurred that this criterion was met.
5. There is no known nuisance to vehicles and pedestrians from the keeping of chickens. By a vote of 4-0-0 the board concurred that this criterion was met.
6. There is no expected burden on town facilities and services from the keeping of chickens. By a vote of 4-0-0 the board concurred that this criterion was met.
7. Regarding the public health, safety and general welfare there was testimony of rodents in the neighborhood as a result of chicken manure being used as fill on site. The board could not confirm that the chickens' manure was the cause. A brief literature review

indicated that the improper storage of feed can be a contributing factor to the presence of rodents.¹ All feed should be stored in a rodent proof container. The applicant stores feed in a large, lidded metal can, stored in a shed. The literature review did not indicate manure was a possible cause of rodents.² Best practice calls for manure to be composted in a sealed compost bin(s). However, that is complex. The planning board's preferred approach is that all manure be removed from the site. By a vote of 4-0-0 the board concurred that this criterion was met subject to conditions. Only 10 hens may be maintained on the site, the approval does not extend to keeping other animals, all waste and shavings are to be removed from the property, and that the feed be stored in a sealed rodent proof container.


8. The proposed use is not a boat launch facility; therefore, this criterion is not applicable.

The Conditional Use Permit was approved by a vote of 4-0-0 with the following conditions:

1. **There is a limit of 10 chickens, only hens, that can be kept on the property.**
2. **All feed must be stored in a tight, rodent proof container.**
3. **All manure must be removed from the site.**

The Board based its decision on the application, plans, and supporting oral and written information and the record provided by the applicant, professional staff for the applicant and Board, and public comment, as reflected in the minutes on file at Wakefield Town Hall. This information shall be incorporated into the decision by reference.

Please note that the selectmen, any party to the action, or any person directly affected, has the right to appeal this decision within 30 days from the notice of decision. See RSA Chapter 677:15.


 Tom Dube
 Planning Board Chair

12/12/23
 Date

¹ https://extension.usu.edu/news_sections/agriculture_and_natural_resources/backyard-chicken-ranching-rodents-and-covid-19 and

https://extension.usu.edu/news_sections/agriculture_and_natural_resources/rodent-chicken

² <https://extension.uga.edu/publications/detail.html?number=C1097&title=poultry-litter-composting-for-backyard-flocks>