

HOUSE No. 4182

The Commonwealth of Massachusetts



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

EXECUTIVE DEPARTMENT
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June 12, 2014

To the Honorable Senate and House of Representatives,

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution as amended by the Article LXXXIX, I am filing for your consideration the attached legislation entitled “An Act Relative to Article 6 of the Town of Millis May 12, 2014 Annual Town Meeting”

Representative Linsky, Senator Ross, and the Town of Millis Board of Selectmen have requested that I file this legislation on behalf of the Town. This purpose of this legislation is to ratify the unanimous approval by the May 12, 2014 Millis Annual Town Meeting of Article 6 to amend the Town’s Zoning by-law. The Town is promoting the redevelopment of its downtown business area. A critical element of the Town’s effort is completion of Centennial Place. In late 2013, it was discovered that the long planned use of a drive through window at Centennial Place would be in jeopardy unless a curative amendment to the Zoning By-law was adopted. Article 6 was drafted to address this concern and referred to the Planning Board for public hearing. The Planning Board held a public hearing and unanimously voted to recommend a Town Meeting vote to approve Article 6. Notice of the Planning Board’s meeting was posted as required under G.L. c. 40 § 5. Due to oversight, the newspaper advertisement of the public hearing notice did not appear as required by G.L. c 40 § 5.

The Town and bill sponsors are confident that the Town residents received adequate notice of the Article 6 Planning Board hearing through a variety of channels including the posting of public hearing on the Town Clerk's Office, posting on the Town's official website, and extensive local media coverage leading up to the hearing. Finally, a copy of the May 12, 2014 Town Meeting Warrant, which included Article 6, was mailed to resident households.

I urge your early and favorable consideration of this bill.

Respectfully submitted,

Deval L. Patrick,
Governor

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Message from His Excellency the Governor recommending legislation relative to Relative to Article 6 of the Town of Millis May 12, 2014 Annual Town Meeting.

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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An Act relative to Article 6 of the town of Millis May 12, 2014 annual town meeting.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, action taken by
2 the May 12, 2014 Annual Town Meeting of the Town of Millis to unanimously approve Article
3 6, which provides as follows:

4 ARTICLE 6. To see if the Town will vote to amend its Zoning By-laws, as most recently
5 amended, by amending Section XIII.P.2 (b) (5) by deleting the existing language that states:
6 “Drive through Windows are not Permitted,” and inserting in its place the following new
7 sentence: “Drive through windows are permitted by special permit,” or act in any manner
8 relating thereto. (Submitted by Planning Board)

9 is hereby ratified, validated and confirmed as if the Planning Board public hearing for
10 Article 6 was fully and duly advertised as required by law.

11 SECTION 2. This act shall take effect upon its passage.