

# ***Right to Farm Ordinances Agricultural Regulations Tax Reduction Programs***



 **CONNECTICUT  
FARM BUREAU**

# About Connecticut Farm Bureau

- Private non-profit 501c-5 Association
- Represent over 5,000 Connecticut farm families
- Advocate and educate on issues that help keep farm families in production agriculture
- *The Voice of Connecticut Agriculture*





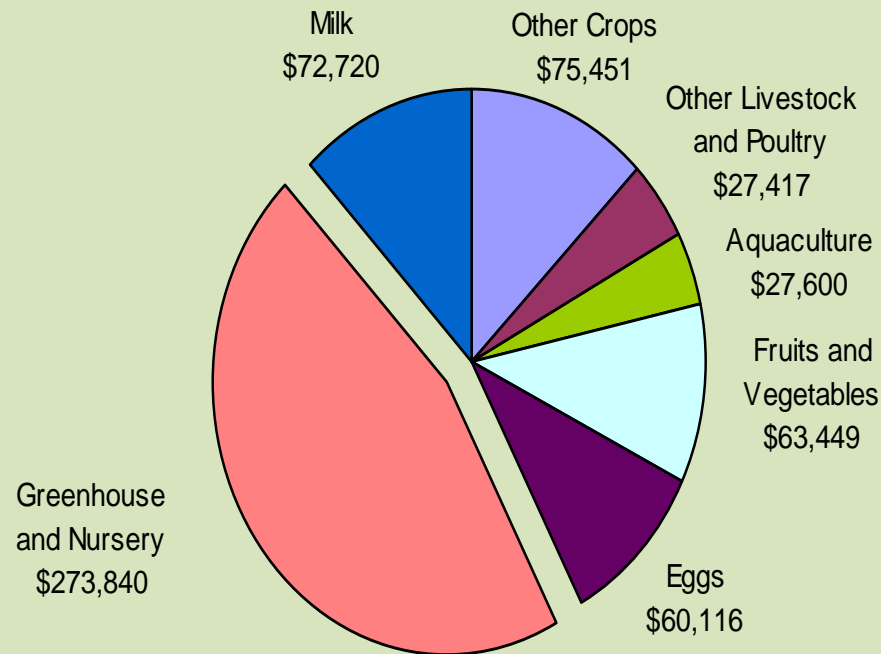
# What is Agriculture?

“Agriculture” and “Farming” are defined under CGS 1-1q



# Agriculture is a Business Enterprise

**Connecticut Cash Receipts – 2008**  
by Commodity in 1,000 Dollars



Connecticut Total = \$600.6 Million

Chart may not add to 100 percent due to rounding

Other Livestock and Poultry = Total Livestock - Milk - Eggs - Aquaculture

Fruits and Vegetables = Sweet Corn + Other Vegetables + Apples + Peaches + Berries + Other Fruit

Other Crops = Hay + Tobacco + Maple Syrup + All Other Crops



# Suburban/Rural Interface



# Smaller/More Diverse Farms

- 1991-2008: [www.agcensus.gov](http://www.agcensus.gov)
  - Average farm size has decreased from 87 acres to 82 acres
  - Number of \*farms has increased from 4,250 farms to 4,900 farms
  - 1,232....< 10 acres
  - 1,894....< 10-49 acres
- \* farm: any place producing \$1,000 worth of agricultural product in one calendar year

# State Right to Farm Law

- CGS Sec. 19A-341 (since 1981)

1. Odor
2. Noise
3. Dust
4. Use of chemicals
5. Water pollution



***Provided such operations follow accepted agricultural practices.***

# Right to Farm Law (cont'd)

- Inspection and approval of the agricultural or farming operation, place, establishment or facility by the Commissioner of Agriculture or his designee shall be prima facie evidence that such operation follows generally accepted agricultural practices.
- ...shall not apply whenever a nuisance results from negligence or willful or reckless misconduct in the operation of any such agricultural or farming operation...



# Right to Farm Ordinances

## **WHY?**

- *Policy statement*
- *“Insurance policy” for farmers*
- *Supports the diversity of CT agriculture*
- *Supports young farmers, FFA and 4H*
- *Supports farmland preservation efforts*
- *Secures the future of local agriculture*

**Town of Lebanon  
Right to Farm Ordinance  
(Proposed)**

Be it ORDAINED that the electors of the Town of Lebanon at a duly warned Special Town Meeting to be held on August 24, 2009:

**Section I: Purpose and Intent**

Agriculture plays a significant role in Lebanon's heritage and future. The Town officially recognizes the importance of farming to its rural quality of life, heritage, public health, scenic vistas, tax base, wetlands and wildlife, and local economy. This Right to Farm ordinance encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmland within Lebanon by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies.

It is the declared policy of the Town of Lebanon to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food and other agricultural products and for its natural and ecological value. It is hereby further determined that whatever impact may be caused to others through generally accepted agricultural practices, such impact is offset and ameliorated by the benefits of farming to the neighborhood, community and society in general.

**Section II: Definitions**

The terms "agriculture" and "farming" shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended.

**Section III: Right to Farm**

The Right to Farm is hereby recognized to exist within the Town of Lebanon. No present or future agricultural operation conducted or maintained in a manner consistent with accepted agricultural practices, which is engaged in the act of farming as defined in this ordinance shall become or be considered, a nuisance solely because such activity resulted or results in any changed condition of the use of adjacent land. Agricultural operations may occur any day or night provided such activities do not violate applicable health, safety, fire, zoning, wetlands, life safety, environmental or building codes and regulations and shall include, without limitation:

- 1) The incidental noise from livestock or farm equipment used in generally acceptable farming practices;
- 2) Odors from livestock, manure, fertilizer or feed;
- 3) Dust and fumes associated with normally accepted farming practices;
- 4) The use of agricultural chemicals provided such chemicals and the method of their application conform to practices approved by the State of Connecticut; and
- 5) Irrigation and water management associated with normally accepted farming practices.

Inspection and approval of the agricultural or farming operation, place, establishment or facility by the Commission of Agriculture or his/her designee shall be prima facie evidence that such operations follow generally accepted agricultural practices. Nothing contained in this ordinance shall restrict the powers of Lebanon's Inland Wetlands Commission, Planning and Zoning Commission, Building or Health Departments under Connecticut General Statutes.

- *Local ordinance should mirror state statute.*
- *Refer to CGS 1-1 q for definition of "agriculture".*
- *Protect jurisdiction of municipal commissions and agencies.*
- *Lebanon*
- *Columbia*
- *Colchester*
- *Woodstock*
- *New Milford*
- *North Stonington*
- *Pomfret*

# Agricultural Regulations

## ***The Good...***

- ✓ *Adopt the state definition of agriculture, CGS 1-1 q.*
- ✓ *Build flexibility into agricultural site plans.*
- ✓ ***Agricultural buffers:** Provide for a vegetative buffer in subdivision regulations and where commercial and residential development abut working farmland. See **Lebanon** and **Suffield** regulations.*
- ✓ *The buffer requirement is on the subdivision or residential development, **not** the farm.*



## ***The Bad and the Ugly...***

- ✓ *Minimum acreages for farms*
- ✓ *Setbacks on fencing*
- ✓ *Restrictive and costly site plans*
- ✓ *Definitions that conflict with state statute*
- ✓ *Overly restrictive or unreasonable animal density requirements*
- ✓ *Mandatory shelters for livestock*

## ***How to Adopt Agricultural Friendly Regulations?***

- 1. Talk to farmers in your towns***
- 2. Seek professional advice from:***
  - CT Farm Bureau***
  - American Farmland Trust***
  - CT Department of Agriculture***
  - UCONN Cooperative Extension***
  - USDA – NRCS***

# Tax Reduction Programs

1. *\$100,000 exemption on farm buildings*
2. *Additional \$100,000 exemption on livestock and equipment*
3. *50% abatement on property taxes for dairy farm, fruit orchard, vegetable, nursery, nontraditional or tobacco farm or commercial lobstering business operated on maritime heritage land.*



# Contact Information



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