Is Your Town Farm Friendly?
A Checklist for Sustaining Rural Character

by Gary Matteson

Take the Test!

Does your town...

❑ Yes ❑ No
- ***...have a detailed section on agriculture in the Town Master Plan?*** The Master Plan is the big picture view of what land uses are encouraged, protected, or excluded within a town. Does your town's Master Plan refer to "maintaining rural character", but overlook agriculture as the primary component? Agriculture shouldn't be an afterthought!

❑ Yes ❑ No
- ***...allow agricultural uses in more than one zoning district?*** Agricultural businesses are not the same as other commercial development. Some towns confine agricultural businesses to the commercial zone only, while other towns prohibit such uses in the commercial zone! Farm enterprises are often hybrids of several different uses; ordinances and regulations should allow farm businesses flexibility.

❑ Yes ❑ No
- ***...allow simpler design standards for Site Plan Review regulations on agricultural businesses limited to seasonal use?*** Simpler standards for certain aspects of Site Plan Review regulations make sense for agricultural uses, such as parking requirements for seasonal retailing or events. When agricultural uses are limited in scope and impact, they need not be treated as if they were year-round permanent businesses. Does your town apply the same site design requirements to a seasonal farm stand as to a grocery store?

❑ Yes ❑ No
- ***...allow flexibility in regulations to accommodate the unusual needs of agricultural businesses?*** Both the land use impact and the off-site impact of a seasonal farm business is much less than that of a full-time business. Pick-your-own strawberries or Christmas tree farm businesses can't be viable in a town that treats farms like all other retailers. Do your town's regulations provide for reduced restrictions such as expanded hours of business operation, temporary signs, parking near pick-your-own fields, or on street parking?

❑ Yes ❑ No
- ***...require buffer zones between farmland and residential uses?*** The old saying "good fences make good neighbors" has a modern corollary that says "good buffer zones make new neighbors good neighbors." New development should not place the burden on existing farms to give up boundary land as a buffer zone between agricultural and residential uses. New residential development should provide for its own buffer zone and/or landscape plantings for screening when necessary.

❑ Yes ❑ No
- ***...provide for the agricultural use of open space land created by innovative residential subdivisions?*** Many towns have adopted innovative subdivision regulations like cluster housing, which provide for setting aside open space land within the subdivision. Ideally, such land should be the most valuable agricultural land, be big enough for commercial agricultural purposes, and specifically allow long term agricultural use to provide consistent resource management. Smaller plots of set aside land could accommodate community gardens. Land set aside for open space can stay productive agricultural land and at the same time contribute to the ecological health and scenic quality of the area -- instead of becoming grown over with brush.

❑ Yes ❑ No
- ***...allow off-site signs to attract and direct farm stand customers?*** Farm stands are often seasonal businesses that need to capture potential sales at harvest time. Signs that give directions to the farm stand and let customers know what's available (such as strawberries, corn, apples) are vitally important.

❑ Yes ❑ No
- ***...allow accessory uses to agriculture?*** Remember, it's not just the farmland that makes farming possible: businesses related to agriculture (veterinarians, equipment and supply dealers, custom farm providers, feed milling and delivery, etc.) have to be close enough to serve farmers' needs.

Take the Test!

Does your town...(continued)

❑ YES ❑ NO

- *...have a consistent policy approach for local land use procedures that deal with agriculture?* Planning Boards, Zoning Boards, and Conservation Commissions have different responsibilities, but a common regulatory outlook is possible. Update your Master Plan to express the value agriculture contributes to your town's quality of life through open space, wildlife habitation, watershed purification and natural resource preservation. Establish a policy presumption that agriculture is of beneficial use in your town, and fairness will follow.

❑ YES ❑ NO

- *...have a good idea of how much agriculture there <u>is</u> in town?* Consider having a Town appointed committee formulate an Agricultural Profile to demonstrate the economic, cultural, and resource stewardship value of agriculture in your Town. People often carry the misconception that "there's no agriculture in our town" if they don't see cows and red barns. Agriculture in New Hampshire stretches from apples and bees to yaks and zinnias!

❑ YES ❑ NO

- ***...allow roadside stands or pick-your-own operations by right?*** Consider amending your Town's zoning ordinance so that certain agricultural operations don't need a Special Exception or Variance. Write flexibility into ordinances or regulations that may apply to agricultural land uses so the intent is clearly to promote such use, not to deny because the rules don't fit the unique situations that frequently arise with agricultural businesses.

❑ YES ❑ NO

- ***...use zoning definitions such as "agricultural accessory uses" in a broad and inclusive manner?*** "Agricultural accessory uses" refers to everything from machinery sheds to housing for seasonal workers. Various agricultural businesses have very different needs that can test the balance of rule and exceptions. Flexibility written into the ordinances and regulations can prevent many denials of the sort where "the rules don't fit".

❑ YES ❑ NO

- ***...allow farm stands to sell produce purchased elsewhere?*** Many towns have rules that a certain percentage of farm stand produce be grown on the farm. The unintended consequence of such regulation is to penalize farm operators who have a crop failure! The rational basis for allowing a farm stand shouldn't only be how much is grown on the farm, but what benefit the farm provides to the town from the open space, wildlife habitation, watershed purification and natural resource preservation it accomplishes.

❑ YES ❑ NO

- ***...properly assess specialized agricultural structures?*** Specialized structures such as silos, milking parlors, and permanent greenhouses depreciate in value over time. Providing assessors with depreciation schedules may enable more accurate valuations, which can lead to lower assessments. If your town frequently overvalues agricultural structures, this can have a chilling effect on all types of farm investment.

❑ YES ❑ NO

- ***...allow non-traditional or retail-based farm businesses in an agricultural zoning district?*** Agricultural businesses don't all look alike. Trying to decide what constitutes an agricultural business can involve splitting hairs to make unfamiliar distinctions between what is "commercial" and what is "agricultural". Ordinances defining agriculture based on state law may be accurate, yet need local interpretation. Your town should recognize that newer types of farm businesses such as horse arenas, landscape nurseries, or greenhouses are more intensive in land use, but still carry valuable elements of rural character that benefit the town.

❑ YES ❑ NO

- *...address agricultural structures in building and safety codes?* Building practices that are state of the art for a specialized use in agriculture may not fit the specifics of codes meant for housing or commercial structures. Bringing up to code agricultural buildings that are historic structures may destroy the very qualities that make them special.

Take the Test!

Does your town...

❑ YES ❑ NO

- ***...consider farmland a natural resource and encourage conservation easements, discretionary easements, and purchase of farmland?*** Easements and outright purchases of farmland ensure preservation of the natural resource base for agriculture. Once a town has applied these techniques, the benefits of keeping farmland in private ownership can be more clearly appreciated. By understanding and allowing for the peculiarities of agricultural land use, towns can encourage working farms that contribute to the town's well-being at no cost to the taxpayers.

❑ YES ❑ NO

- ***...have any visible demonstration of the value of agriculture?*** Does your town have a county fair, an apple festival, or an Old Home Day parade? Making agriculture visible to the general public helps establish the economic, cultural, and resource stewardship value of having active farms in a town.

❑ YES ❑ NO

- ***...respect the state Right to Farm law, which has specific exemptions for odor and noise?*** Local control is an important tradition for New Hampshire towns. The state Right to Farm law provides a backstop to farmers if local officials overreach their regulatory authority. Conflicts between agriculture and other land uses can be reduced when town officials are informed about Best Management Practices (BMP's) that may alleviate nuisance complaints. University of New Hampshire's Cooperative Extension Service writes BMP's about various agricultural practices based on sound scientific research.

❑ YES ❑ NO

- ***...encourage farmers to use the Soil Productivity Index (SPI) calculations to reduce Current Use tax burdens?*** Using Soil Productivity Index (SPI) information may reduce the Current Use assessment on less productive agricultural land. By reducing the tax burden on agricultural land, towns can encourage the maintenance of open space at a relatively low cost.

❑ YES ❑ NO

- ***...have farmers serving on local land use Planning and Zoning Boards, Conservation and Heritage Commissions?*** There are few better ways to incorporate agricultural concerns into local land use ordinances and regulations than having farmers serve. Help your town's land use boards keep a broad perspective by asking "Have you thought of the consequences...?"

❑ YES ❑ NO

- ***...have farmers serving on the local Economic Development Committee?*** Agricultural businesses are frequently undervalued in terms of their effect on the community. Most of the economic activity generated by farms stays within the community. Negative impressions about the strength of New Hampshire agriculture may have a similar impact on the availability of credit to viable farm operations. Having successful farmers on Economic Development Committees can change these misperceptions.

❑ YES ❑ NO

- ***...know where to go to get advice and assistance on farm questions?*** Make the connection to resources such as the Department of Agriculture, Markets and Food (industry regulator, statewide perspective); UNH Cooperative Extension (technical questions, BMP's); New Hampshire Farm Bureau (non-governmental farm lobby, broad experience); Natural Resource Conservation Service (land and water resource management).

Total Your Score!

Your Results...

☑ *Yes on 20-23*
- Your town is exceptionally friendly and helpful to its farmers.

☑ *Yes on 16-19*
- Your town knows that farmers are good neighbors who provide lots of benefits to the quality of life, but you're not sure what to do to encourage them.

☑ *Yes on 12-15*
- Careful! Your town may be less farm friendly than you think...even inadvertently unfriendly.

☑ *Yes on 8-11*
- Time to get to work helping your fellow citizens understand the importance of protecting its agricultural base.

☑ *Yes on 4-7*
- Yours is not a farm friendly town, but there might still be hope. Seek help immediately from farmers, farm groups and related organizations!

☑ *Yes on 0-3*
- Ask yourself what you like about your town, and then what it would be like without any agriculture whatsoever. If there are any farmers left in town, take them out to dinner and ask them to help you turn over a new leaf.

Presented by The New Hampshire Coalition for Sustaining Agriculture
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