

Meeting Minutes, Mayor's Bona Fide Agricultural, Recreation and Natural Resource Land Use Ad-Hoc Committee

Attendees:

Amy Dieterich, Chris Carson, Dave Bell, Dave Griswold, Joe Gray, John Blais, John Cleveland, Barbara Mitchell, Philip Savignano, David Trask
Public: Steve Beale, Evan Cyr

Meeting Information

- Date & Time: 2024-10-24 17:32:23
- Location: Community Room, City Hall, 60 Court Street

Meeting Notes

1. Defining and implementing criteria for bona fide agricultural, recreational, and natural resource land use.

- **Attendance and Minutes Approval**
The meeting started with attendance and the approval of the previous meeting's minutes. The minutes were posted online and available for public review. Minutes were approved without any changes.
- **Review of Draft Document**
The committee reviewed a draft document produced by the Natural Resources Product and Ag Working Group. The document's formatting was different, but the language remained the same.
- **Section 60-145 Review**
The committee reviewed section 60-145, focusing on the definition of bona fide farming, agricultural, recreational, and natural resource use.
- **Criteria for Bonafide Use**
Discussion on the criteria that constitute bona fide farming, agricultural, recreational, and natural resource use. The committee aimed to provide guidance to the council by November 18th.
- **Clarification on Agricultural and Farming Definitions**
Clarification on the definitions of agricultural and farming uses. Agricultural

use typically refers to plant-related activities, while farming includes animals. In this case they are one in the same.

- **Guidance Document and Checklist**
Discussion on creating a guidance document or checklist to define bona fide uses. The committee considered having multiple criteria but requiring only a subset to qualify as bona fide.
- **Conservation Plans**
The importance of conservation plans by the Soil and Water Conservation District or NRCS for converting land to farming use was discussed.
- **Existing Farms and New Criteria**
The committee discussed ensuring that new criteria would not affect existing farms and would only apply to new farms and developments.
- **Process for Development**
The committee discussed the process for developing new farms, including the need for a farm plan to obtain necessary permits.

2. Agricultural Planning and Sustainability

- **Agriculture and Farming Focus**
Discussion on focusing efforts on agriculture and farming as a priority, considering it low-hanging fruit compared to recreation.
- **Sustainability and Planning**
Questions raised about long-term sustainability, necessary facilities, financing, and resources for agricultural activities.
- **NRCS Farm Plan**
Discussion on the importance of having a farm plan produced by NRCS to ensure the viability of agricultural projects.
- **Market Establishment**
Emphasis on the importance of establishing markets for agricultural products.
- **Soil Quality and Land Use**
Importance of soil quality in planning agricultural activities and strategic placement of houses to optimize land use in farmland.
- **Federal Loan Criteria**
Criteria used by federal loan officers to provide loans to farmers, including market establishment and crop value.
- **Forest Management and Markets**
Discussion on the need for responsible forest management and establishing relationships with markets.
- **Barriers for New Farmers**
Concerns about not making barriers too high for new farmers and ensuring criteria are flexible enough to support new businesses.
- **Land Conversion and Planning**
Discussion on the importance of having a good plan for land conversion and identifying markets and funding sources.

- **Free Services from NRCS**
NRCS offers free services to help new farmers with soil and water conservation plans.
- **Timing for Farm Plans**
Discussion on the time required to get a farm plan approved and the need for extended purchase and sale agreements.
- **Definition of Bona Fide Farm**
Need to clarify the definition of a bona fide farm and leverage existing definitions from NRCS and Farm Service Agency.
- **Permitted Uses in Ag Zone**
Clarification on permitted uses in the agricultural zone and the requirements for building a house.
- **Temporary Residences**
Discussion on the rules regarding temporary residences on agricultural land.

3. Requirements and compliance for agricultural operations and housing.

- **Farm Plan Requirements**
Discussion on the necessity of having a farm plan for both new and existing farms, including the details and documentation required.
- **Bona Fide Farming Operations**
Discussion on what constitutes a bona fide farming operation and the criteria needed to prove it.
- **Non-Standard Farming Operations**
Discussion on how to handle non-standard farming operations, such as apiaries, and the specific requirements for these types of farms.
- **Conservation Easements**
Discussion on the potential use of conservation easements as a commitment to farming and whether it could replace other requirements.
- **Planning and Documentation**
Discussion on the importance of having a detailed plan and the type of documentation required for different farming activities.

4. Defining and establishing criteria for bona fide agricultural and recreational land uses.

- **Agricultural Easements and Bona Fide Farms**
Discussion on the requirements and definitions for bona fide agricultural use, including the necessity of a house (20% lot coverage), market identification, and experience in farming.
- **Experience Requirements for Farm Plans**
Debate on what constitutes legitimate experience for someone submitting a farm plan, including degrees, certifications, and practical experience.

- **Scoring Matrix for Farm Plans**
Consideration of a scoring matrix to evaluate farm plans, including subjectivity and consistency issues.
- **Required Information for Farm Plans**
Discussion on the necessary information for farm plans, such as parcel identification, soil types, and natural resource considerations, future house layout, well, septic system and driveway location.
- **Recreational Uses of Land**
Exploration of what constitutes bona fide recreational use, including examples like campgrounds and guide businesses. The Committee to provide thoughts or ideas what constitutes Bonified Recreational Use by next meeting.
- **Principal Use and Accessory Uses**
Clarification on the principal use of land for recreational purposes and the implications for accessory uses.
- **Public Comments**
Public input on the need to accommodate various types of agricultural operations and the importance of having a plan approved before implementation.

Conclusion

1. Agreement to establish a baseline for bona fide agricultural use, including market identification, land use plans, and sustainability experience.
2. No clear consensus: further discussion needed on evaluating experience.
3. Acknowledgment of the complexity and subjectivity; no final decision made.
4. Agreement on the need for baseline information in farm plans.
5. Request for group members to email suggestions for bona fide recreational uses.
6. Agreement that principal use must be primarily recreational; further examples to be considered.
7. Acknowledgment of public concerns; no specific actions decided.

Next Arrangements

[] Review and provide feedback on the draft paragraph for bona fide agricultural use in the next meeting.

[] Email suggestions for bona fide recreational uses to John Blais
jblais@auburnmaine.gov

Staff has identified the following issues that were not concluded in the meeting or lack clear action items; please pay attention:

1. Finalize the criteria for bona fide agricultural, recreational, and natural resource use to provide clear guidance to the council by November 18th.

2. Clarify the definition of a bona fide farm and how it applies to different scenarios, including the specific criteria and process for obtaining similar plans that either the landowner, consultant or NRCS produces for the city to review against the ordinance requirements.
3. Develop a comprehensive guidance document or checklist that outlines the criteria for bona fide uses, ensuring it is applicable to new farms without affecting existing ones.
4. **Next meeting: 5:30PM October 29, 2024 at the Community Room**