

Loudon Agricultural Commission

List of Areas of Concern regarding Farming and Agriculture In the Zoning Ordinance of the Town of Loudon

Prepared 9/11/09 by Earl Tuson, Revised 9/29/09

Section 204.3-M Rural Residential District Uses Permitted by Special Exception, page 12

This section limits occupancy by seasonal workers to 6 months, which could unnecessarily restrict the duration of employment.

Section 205.3 Agriculture/Forestry Preservation District Uses Permitted by Special Exception, page 14

This section does not permit seasonal agricultural labor housing in the manner that Section 204.3 permits it by Special Exception in the Rural Residential District.

Section 208.2 Height, page 28

This section limits the agricultural structures excepted from the height limitation to farm silos only. Other farm structures, such as grain storage bins, could feasibly be taller, and would currently be limited by the existing ordinance. Changing “farm silos” to “non-residential farm structures” would remove such a limitation.

Section 301.4 Wetland Conservation District Permitted Uses, page 32

This section, and the following Section 301.5 Wetland Conservation District Uses Permitted by Special Exception, does not explicitly permit construction, improvement and maintenance of access ways to wetlands or structures adjacent to wetlands to be used for the purpose of withdrawal of surface waters for the irrigation of cropland.

Section 301.6 Buffers and other Wetland Criteria, page 34

Part 3 of this section includes a prohibition of pesticide and fertilizer applications anywhere within the 75’ wetland buffer area. This prohibition may be overly restrictive to farm activity.

Section 302.3 Steep Slope District Permitted Uses, page 35

This section permits only agricultural activity consisting of “cultivation and harvesting of crops” on slopes in excess of 25%. This wording could be construed as not permitting other farm activities such as grazing. While it limits the farm activity to those that follow “recognized soil conservation practices,” any tillage operation on slopes exceeding 25% would likely produce soil movement that would be contrary to the purpose of the Steep Slope District, as defined in Section 302.1 Purpose.

Additionally, this section, and the following Section 302.4 Steep Slope District Uses Permitted by Special Exception, does not explicitly permit construction, improvement and maintenance of access ways and irrigation pipe lines, permanent and temporary, across steep slopes to access wetlands to be used for the purpose of withdrawal of surface waters for the irrigation of cropland.

Section 500 Off-Street Parking and Loading, page 48

This section does not address parking needs for farms. The wide variety of activities that can be reasonably conducted on a farm may complicate a simple rule such as those used for the other activities listed.

Section 501 Signs, page 50

This section does not specifically address sign usage by farms.

Section 801.10 Building Permits: Size of Building, page 83

The 920 square foot limit put forth in this section could prevent the construction of small agricultural accessory structures larger than 100 square feet such as: maple sap houses, pig pens, chicken coops, grain bins, etc.

Appendix, page 97

There is no definition listed for farm, farming, or agriculture.