



TOWN OF MANSFIELD
ORDINANCE DEVELOPMENT AND REVIEW SUBCOMMITTEE
Thursday, March 8, 2012
Audrey P. Beck Municipal Building
Conference Room C

6:00 p.m.
Minutes

Chair Carl Schaefer called the meeting to order at 6:05 pm

- I. Call to Order/Roll Call
Present- Keane, Lindsey, Schaefer, Moran
Also Present: Dennis O'Brien (Town Attorney) Members of the Agriculture Committee: Charlie Galgowski, Al Cyr, Kathleen Paterson, Vicky Wetherell. Staff: Jennifer Kaufman
- II. New Business
 - a. Right to Farm Ordinance and Municipal Tax Incentives for Farms
 - **Right to Farm (RTF) Ordinance**- The subcommittee discussed the Draft RTF- O'Brien stated that the ordinance mirrors the state Right to Farm Statute (CGS section 19a-341). Members of the Agriculture Committee explained that, while the state has a Right to Farm Statute, a local ordinance documents the importance of farming locally and may help protect farming operations by discouraging nuisance law suits. The subcommittee was generally in favor of the ordinance but would like to refer it to the Conservation Commission for input. *Moran motioned to refer the Draft RTF ordinance to the Conservation Commission for comment. Lindsey seconded. Motion passed unanimously.*
 - **Farm Machinery** – The state allows exemption for up to \$100,000 of assessed value for farm machinery and tools. Municipalities may vote to provide an *additional* exemption for farm machinery of up to \$100,000 in assessed value (CGS § 12-91b). The assessor calculates the amount of exemption. This ordinance requires that the applicant provide an affidavit certifying that the farm business derived at least \$15,000 in gross sales or incurred at least \$15,000 in expenses. After discussion and input from the Agriculture Committee, the committee was generally in favor of this exemption. Keane stated that while, currently no farms would qualify for the additional \$100,000 beyond what the state allows, this exemption may encourage some farmers to invest in their business and purchase additional machinery. *Keane moved to send the farm machinery ordinance to the Town Council for consideration. Moran seconded. Motion passed unanimously.*
 - **Farm Buildings and Structures** –Municipalities have the option to provide an exemption from property tax for any building used exclusively for farming or that provides housing for seasonal employees, up to a value of \$100,000 per building (CGS § 12-91c). The assessor calculates the

amount of exemption. Note that temporary structures, such as hoop houses, are exempt under state statute (CGS § 12-81). This ordinance requires that the applicant provide an affidavit certifying that the farm business derived at least \$15,000 in gross sales or incurred at least \$15,000 in expenses. Kaufman explained that the exemption was for buildings used “actually and exclusively for farming.” *Keane moved to send the farm buildings exemption ordinance to the Town Council for consideration. Lindsey seconded. Motion passed unanimously.*

- **Farm Property Tax Abatement** – A municipality may reduce property taxes on farm businesses pursuant to CGS § 12-81m. This provision allows towns to abate up to 50 percent of the property taxes for several types of farm businesses, including dairy farms, fruit orchards, vineyards, vegetable farms, nurseries, tobacco farms, commercial lobstering businesses operated on maritime heritage land, and any farm that employs nontraditional farming methods, such as hydroponic farming. State law also allows municipalities to recapture abated taxes if the property is sold, provided such recapture shall not exceed the original amount of taxes abated and may not go back further than ten years. The tax collector calculates the amount of abatement. The subcommittee would like Attorney O’Brien to clarify the following:
 1. *Whether the ordinance could incorporate clear standards and guidelines for the assessor to determine which farms would qualify.*
 2. *Why the ordinance differentiates between farmers who own vs lease a property, abatement is different*
 3. *If we can add the 15K threshold as in the building and machinery exemption as a requisite for farms to qualify.*
 4. *Determine whether the abatement can be renewed after five years.*

The Committee would like to meet in a few weeks with Attorney O’Brien to determine if the abatement ordinance could be revised to clarify the above points.

- III. Public Comment-None
 - IV. Next Meeting Date-Jennifer will coordinate with Sara-Ann to schedule a meeting. Thursdays at 6 pm seemed to work for the group.
 - V. Adjourn-Keane motioned to adjourn the meeting at 7:05. Lindsey seconded. Motion passed unanimously.
- Adjournment