

Suggestions for Implementing Act 143 in the Town of Charlotte

Farms provide community services, including fresh local food, jobs, opportunities for the next generation, diverse small businesses, rural character, open landscapes, and a range of ecosystem services from water quality to wildlife habitat, healthy soils, and mitigation of climate change. Enacted by the Vermont State Legislature in 2018, Act 143 is intended to allow “operators to diversify operations and revenue streams and increase their ability to market agricultural products and the agricultural experience by welcoming the public to their farms...” (Vermont Agency of Agriculture, Food & Markets). The accessory on-farm businesses allowed by Act 143 are a means to help Vermont farms survive and thrive financially, and Charlotte has a long history of supporting agriculture and attracting residents who value a working landscape. It is the partnership of Vermont towns with the State to administer the Act that will yield healthy, sustained farms and farming communities.

Suggestions for updating the Town Plan

The following updates could be implemented in “Charlotte Tomorrow” (Chapter 1.6 Agriculture & Forestry) to support Act 143, support farm businesses in Charlotte, and further the goals of the Town.

Key Planning Considerations

Section 5 of the Key Planning Considerations currently reads:

- "New business models, including on-farm and farm-related businesses are critical to the economic viability of Charlotte farms. Local agricultural cooperatives, community supported agriculture (CSAs), direct and online marketing operations, value-added production (e.g., specialty foods and commercial composting), farm equipment sales, supply and support services, farm cafes, and “rural or agricultural enterprises”¹² can benefit farms and keep them economically viable."

Suggested update to include educational activities, as well as events and agritourism referenced in the existing Forestry and Agriculture Strategies section of the Town Plan:

- "New business models, including on-farm and farm-related businesses are critical to the economic viability of Charlotte farms. Local agricultural cooperatives, community supported agriculture (CSAs), direct and online marketing operations, value-added production (e.g., specialty foods and commercial composting), farm equipment sales, supply and support services, farm cafes, **farm-based educational activities and events, agritourism,** and

“rural or agricultural enterprises”¹² can benefit farms and keep them economically viable.”

Forestry and Agriculture Policies

Sections 8 of Forestry and Agriculture Policies currently reads:

- 8. Sustainable, economically viable farming alternatives are important to the future of farming in Charlotte. Diverse agricultural enterprises, including dairying, livestock and hay production, horse boarding, riding and breeding, and specialty farms such as nurseries, orchards, vineyards, vegetable, flower and berry farms are encouraged.

Suggest updating these sections to reflect the Key Planning Considerations section:

- 8. Sustainable, economically viable **farm business models** are ~~important~~ **essential** to the future of farming in Charlotte. **Diversified agriculture**, including dairying, pastured livestock and hay production, horse boarding, riding and breeding, ~~and specialty farms such as~~ nurseries, orchards, vineyards, vegetable, flower and berry farms are encouraged, **as are new farm business models and accessory on-farm businesses which diversify operations and revenue streams, and increase the ability to market agricultural products and the agricultural experience by welcoming the public to farms in Charlotte.**
 - [Note - this last sentence refers to the [Agency of Agriculture guidance regarding Act 143.](#)]

Propose adding an additional section:

- **Educating the public, introducing new farm products, and connecting the community more deeply to agriculture are important aspects of farm viability. On-farm education, agritourism and farm events, and connection between local farms and Charlotte institutions including the Charlotte Central School, Senior Center, Library and Town Hall are encouraged.**

Forestry and Agriculture Strategies

Section 5 of Forestry and Agriculture Strategies currently reads:

- Update town land use regulations as needed to accommodate farm-related businesses on farm property in the Rural District – including but not limited to direct-marketing, value added production (such as cheese and wine), farm equipment sales, supply and support services, associated services, commercial on-farm composting facilities, methane digesters and services, and agri-tourism events and activities – with consideration given to the scale of the operation, frequency of events and the potential impacts on the community, community

facilities and services, local traffic and neighboring properties (Zoning Board of Adjustment, Planning Commission, Selectboard).

Propose updating to acknowledge Act 143 and align with preceding Considerations and Policies sections of the Town Plan:

- Update town land use regulations as needed to ~~accommodate farm-related businesses on farm property in the Rural District~~ **support accessory on farm businesses as directed by Vermont Act 143**. Accessory on farm businesses **may include** but are not limited to direct-marketing, value added production (such as cheese and wine), farm equipment sales, supply and support services, associated services, commercial on-farm composting facilities, methane digesters and services, **farm cafes, farm-based education**, and agri-tourism events and activities – with consideration given to the scale of the operation, frequency of events and the potential impacts on the community, community facilities and services, local traffic and neighboring properties (Zoning Board of Adjustment, Planning Commission, Selectboard).

Further, propose adding the following section addressing Act 143:

- **Maintain a registry of all accessory on-farm businesses and any farm business applying for an exemption under Act 143, including qualifications as a farm, location and size, range of agricultural products offered for sale, description of business model and the qualifying products to be sold on site, and a projected percentage of sales that will be from qualifying products. Businesses that do not meet the definitions and requirements of Act 143, as determined by the Select Board, may be asked to modify their business plans to become compliant with the goals of the Town and Act 143.**

Defining Terms Referenced in Act 143

Definitions

A "Farm" defined by the "RAPS", (Required Agricultural Practices): a farm is at least 4 acres, or land that generates at least \$2000 from the sale of agricultural products it produces.

An "On Farm" or "Accessory On Farm Business" is first and foremost a farm. It is located on the Farm property and it utilizes or sells "Qualifying Products". This could include a market, a café or restaurant. It might also include product tastings, agriculture related education, public or private events to facilitate the sale of farm products. The business could be diverse but based principally on:

- the storage, preparation and sale of products, provided that more than half of the sales are from local agricultural products principally produced on the farm, or surrounding farms in the Town of Charlotte and State of Vermont, such as cheeses and dairies, flours, grains, fruits, vegetables, meats, and fibers; and
- educational, recreational, and social events that feature agricultural practices and /or qualifying agricultural products.

"Qualifying Products" (Products) . These are products either grown on the farm, which has the Accessory Business, or are manufactured from ingredients "wholly grown or raised on one or more farms" in Vermont, as a means of supporting local agriculture. Products may be manufactured from products grown on the farm or other Vermont farms.

Products are wholly:

- I. An agricultural, horticultural, viticulture, or dairy commodity, or maple syrup;
- II. Livestock, or cultured fish or a product thereof;
- III. A product of poultry, bees, an orchard, or fiber crops;
- IV. A commodity otherwise grown or raised on a farm; or
- V. A product manufactured on one or more farms from commodities wholly grown or raised on one or more farms.

"Principally Produced". Defined as either weight or volume of raw agricultural products produced, stored, grown or prepared on the farm.

Again if "Principally Produced" could be accepted to mean products grown or raised on one or more farms, sales from other small farms would be facilitated.