

When you call the Sergeant-at-Arms: Please leave your name & phone number

Say, "I'd like to leave a message for __," Leave a clear message, such as:

"I do **not** support..." **OR** I am asking for your vote on __"

Please refer to a bill number or name whenever possible.



THIS IS FOR THE USE OF FARM BUREAU MEMBERS ONLY!!

Governor Scott vetoes S.234

A WHITE PAPER FOR ACCESSORY ON FARM BUSINESSES

S.234 was another attempt by the Legislature to make major changes to the Act 250 language currently in statute, based on a year long process of public hearings by the Act 250 Commission two years ago. VTFB was following changes to the forest fragmentation section as well as jurisdiction over agritourism businesses (on farm accessory businesses). Although this bill was vetoed, language was included in S.226 (Housing) resulting in a report as follows:

Section 39 REPORT; ACT 250 JURISDICTION OVER AGRICULTURAL BUSINESSES

On or before January 15, 2023, the Natural Resources Board shall submit to the General Assembly a report with recommendations on how Act 250 jurisdiction should be applied to agricultural businesses, including those located on properties already operating as farms. The Board shall consult with the Agency of Agriculture, Food & Markets, the Vermont Planners Association, the regional planning commissions, and **other interested stakeholders.** The report shall include recommendations as to how to clarify what is and what is not an accessory on-farm business. The report shall address the current land use planning requirements for farms and farms with accessory on-farm businesses and whether different types of businesses associated with farms and farming require different levels of review. The report may consider whether or not the location of such a business is relevant and may consider the designation or adoption of agricultural business innovation zones with different levels or review.

(S.266 was signed by the Governor but has not been given an Act number as yet).

There were several bills introduced this session regarding agritourism; it appears that the more successful it becomes, the more people are trying to alter the definition and take advantage of some of the benefits for which we have fought.

VTFB has concerns that the Natural Resources Board has been given the task of determining what an agritourism business is, where it should be located, whether there should be different levels of review if an Act 250 permit is required and whether the location is relevant.

Questions to ask candidates:

1. Do you understand the term agritourism and what it means?
2. What are your concerns with agritourism sites?
3. Do you believe Act 250 should look backwards to “businesses already operating as farms?”
4. Should there be different levels of Act 250 review depending on what businesses are operating on farms? Does this occur for other development?
5. Do you believe ag business innovation zones should receive special Act 250 treatment?
6. How can Vermont support and promote agritourism/on farm accessory businesses?

Vermont Farm Bureau policy on agritourism currently:

Vermont Farm Bureau supports tourist information signage policy that is fair to all businesses.

Vermont Farm Bureau should work closely with VAAF to develop signage for state highways to direct the public to agricultural businesses and destinations.

Vermont Farm Bureau supports changes in Vermont’s sign laws to

1. **Provide signs that must be a minimum of 6 feet off the traveled portion of the highway and not out of the right of way;**
2. **Clarify the definition of “premises” to mean land owned or leased by the farmer;**
3. **Allow temporary signs outside the confines of one’s own property with written permission.**

Vermont Farm Bureau supports clarification of the recently passed Act 143 which intended to promote and facilitate the economic viability of Vermont’s farms, so misinterpretation of the law by town planners ceases. Furthermore, consideration should be made so that accessory farm businesses are not subject to a site plan review.

The Agency of Agriculture, Food & Markets (VAAF) has assured VTFB that they will notify us of stakeholder meetings, so that we may let our members know and have folks monitoring the discussion and offering input that will not hinder the ability of farmers to host agritourism events or develop on farm accessory businesses.

VTFB was not supportive of any of the proposed bills on agritourism during the last session. Language offered by VAAF in H.704 would have allowed the development of an on-farm accessory business on one acre or less of land (this would have included parking, driveway, building, etc.) without requiring permits. Environmentalists testified that a one acre development triggers stormwater permits, and VTFB did not want farmers getting into a misunderstanding of requirements. VAAF later clarified that ½ an acre kicks in the need for an operational stormwater permit but agriculture has always been exempted from those.

If you are an agritourism operator on a farm or considering an on farm accessory business, please follow the notices of these stakeholder events hosted by the Natural Resources Board and add your voice with concerns or suggestions!

And if you are a VTFB member offering agritourism activities on your farm, please review the current Farm Bureau policy and offer suggestions on new policies affecting your on farm accessory businesses.