

Amend § 255-10 Terms defined.

255-10 Terms Defined

Amendment to § 255-10 to insert new definitions related to agricultural and related uses.

To see if the Town will vote to amend the Zoning Bylaw in § 255-10 Terms defined to insert new terms related to Agriculture as Accessory Use and Commercial Agriculture to read as follows:

Agriculturally-Related Products

Items produced from local agricultural produce or operations and sold at farm stores to attract customers and promote the sale of agricultural products. Such items may include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream-based desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting farming and agriculture and value-added agriculture products and production on site.

Agricultural entertainment

Entertainment, such as a seasonal event, festival, contest, music, party, or other time-specific event, designed to enhance the agricultural viability of farm operations by bringing the public to a Farm operating on an Agriculturally exempt property for a farm-related educational experience by displaying a combination of the farm setting and products of the agricultural operations with the ultimate goal to encourage the purchase of agricultural products.

Agricultural tourism

Tourism activities designed to enhance the agricultural viability of the farm operations by bringing the public to a Farm operating on an Agriculturally exempt property for a farm-related educational experience by displaying a combination of the farm setting and products of agricultural operations with the ultimate goal to encourage the purchase of agricultural products. Agricultural tourism may include Farm-Stay programs, entertainment events on the farm, fundraising activities, and community events.

Agriculture

This term shall be as defined in Massachusetts General Laws, Chapter 128, Section 1A. Accordingly, agriculture shall include farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market. This

Amend § 255-10 Terms defined.

definition is subject to any further amendments to Massachusetts General Laws, Chapter 128, Section 1A as may be enacted. Further, “agriculture” shall be construed as including silviculture, or viticulture. Agricultural uses shall be construed as to include, but not be limited to, produce farms, truck gardens, dairies, nurseries, wood lots, greenhouses, harvesting of natural ice, and similar pursuits yielding food, fiber or decorative plants.

Agriculture, Commercial

Undertaking/conducting agricultural activities for a fee including for sale, and activities designed to market the farm products and services and/or bring the public to a Farm Enterprise for a farm related experience, and increase the sale of agricultural products to the public with the express purpose of enhancing the agricultural viability of a Farm Enterprise.

Agricultural Uses, Exempt

Agricultural uses exempt from the Zoning Bylaw under Massachusetts General Laws, Chapter 40A, Section 3; accordingly, shall include those agriculture activities conducted in accordance with Massachusetts General Laws, Chapter 40A, Section 3 which are:

- a. Conducted on land zoned for agricultural uses
- b. Conducted on parcels 5 acres or larger
- c. Conducted on parcels 2 acres or larger provided the sale of products produced from the agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture use on the parcel annually generates at least \$1,000 per acre based on gross sales dollars in area not zoned for agriculture.

However, they shall be subject to reasonable regulation regarding dimensional requirements as specified in § 255-25 and § 255-26 and buildings used for Exempt Agricultural Uses may be subject to Site Plan Review.

Agricultural Uses, Non-exempt

Agricultural uses which are not conducted in accordance with the definition of “Exempt Agricultural Uses” shall be viewed as “non-exempt” and subject to all provisions of the Zoning Bylaw.

Farm

Same as “Agriculture”

Farm Related Business

A business operated on a farm parcel, related to or supportive of agricultural activities such as, but not limited to, farm store or similar retail, agricultural entertainment, agricultural tourism, Value-Enhanced Agricultural Production, farm vacations, active and passive recreational opportunities, blacksmithing, farm implement repairs, sale of small

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or light garden supplies, equipment and tools customary and incidental to the sale of garden plants and nursery stock.

Farm Stand

A structure utilized for the sale of agricultural produce and/or products.

Farm Stand, Exempt

Structure used for the sale of farm products on land exempt for agricultural uses pursuant to Massachusetts General Laws, Chapter 40A, Section 3 provided that during the months of June, July, August, and September of every year, or during the harvest season of the primary crop, the majority of such products for sale, based on either gross sales dollars or volume, have been produced by the owner of the land on which the facility is located.

Farm Stand, Non-exempt

Structure used for the sale of farm products on land not exempt for agricultural purposes pursuant to Massachusetts General Laws, Chapter 40A, Section 3.

Farm Store, Accessory

A retail outlet situated on, or adjoining, an Agriculturally exempt property for the sale of farm products that is subordinate to the primary commercial agriculture use of growing or harvesting of crops or the raising of livestock designed to bring the public to the farm for the purchase of agricultural products, agriculturally-related products, and/or value-added agricultural products.

Greenhouse

A structure with walls and a roof made chiefly of transparent material, such as glass or plastic, used for growing plants.

Greenhouse, Noncommercial

A greenhouse used for the growing of plants for the property occupants' personal use.

Greenhouse, Commercial

A greenhouse used for the commercial growing of plants to be sold either on-site or at another location.

Livestock

All domesticated mammals and birds that are raised and kept for agricultural purposes, including but not limited to horses, ponies, donkeys, mules, cattle, goats, llamas, alpacas, swine, sheep, rabbits, hares, fur-bearing animals, and fowl/poultry, which shall be defined as including, but not limited to, chickens (hens and roosters), turkeys, pigeons, capons, ducks, geese, swans, pheasants, peacocks, guinea fowl, emus, and all wild mammals and game birds raised and kept in accordance with state and local law. However, livestock shall not include domesticated pets as defined herein.

Amend § 255-10 Terms defined.

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Livestock-Household pets

Domesticated animals raised and primarily kept indoors for non-agricultural purposes (such as, for companionship or entertainment) including but not limited to dogs, cats, ferrets, rabbits, various species of rodents, guinea pigs, hamsters, mice, domesticated or exotic birds, reptiles, fish, amphibians or other animals deemed by the Health Department through consultation with the Animal Control Officer and/or the Building Commissioner, when appropriate, to be defined as a pet/domestic animal in accordance with state and local law. Also referred to as “Household Pets”.