

## Chapter X – Agriculture and Forestry Resources

### Purpose

Maine has a long history of small-scale farming and agriculture. Landowners in the vicinity of Ogunquit have had a tradition of part-time subsistence operations and sale of surplus goods, along with small-scale commercial farms who sell to local markets. In addition to economic benefits, farmland and forested areas provide scenic value, wildlife habitat, and passive recreational opportunities for area residents. This chapter will provide an overview of land within the town dedicated to farming purposes, including land trust areas, as well as details on how such land is regulated on both a local and state level.

### Community Opinion Survey Results

PLACEHOLDER

### Overview

Ogunquit's early economy was based upon fishing, lumbering, shipbuilding, and homestead farming. During the 1880s, summer home development began to supplant farms along the shore in Ogunquit. In the late 19<sup>th</sup> Century, developers, known then as "capitalists," were buying up shoreland from local owners, who found it amazing that such poor, rocky, sandy land was desirable simply because of its view. Early surveys found that only 12% of the land was considered suitable for agricultural use.

#### Agriculture and Forestry in Ogunquit

In Ogunquit, there have been fewer than a dozen workers in the Agriculture and Forestry sectors for many years; even within the wider Wells Labor Market Area, which includes Ogunquit as well as adjacent communities, the most recent data available shows only 47 employees. The only land available for agriculture and forestry within the town lies west of or adjacent to the Maine Turnpike, where there are significant tracts of vacant, forested land. River Lily Farm on North Village Road has been the only site of commercial farming and forestry (primarily Christmas trees) in town for many years. While this inventory chapter focuses on lands dedicated to commercial farming, opportunities for community gardening exist within the town as well: Great Works Regional Land Trust offers sixty 20' x 25' community garden plots for rent at its Beach Plum Farm Preserve on Route One, a tradition begun by Roby Littlefield many years ago. Additionally, the great variety of building styles and interest in gardening make Ogunquit unique as we build around the rolling curves and rock formations that define its topography.

### Regulation of Agriculture and Forestry Resources

#### State Forestry Regulations

In Maine, the Tree Growth Tax program, a statewide property tax program, incentivizes the encumbrance of forested areas with a designation that removes the ability to develop the land, but allows limited harvesting of trees for use in commercial products; in return, owners receive a property tax subsidy. To enter the program, the following criteria must be met:

- < 10 acre threshold

## Town of Ogunquit Comprehensive Plan

- Land is encumbered by a Forest Management Plan
- Forest Management Plan must be updated and recertified every 10 years
- Other criteria relate to types of forest products permitted (such as maple syrup, firewood, Christmas trees)

There are no large-scale commercial forestry activities in Ogunquit. Most tree removal is done to clear land for development or to remove damaged trees. Forest Management Activities in the Shoreland zones must apply to the Maine Forest Service for regulations. However, six properties within Ogunquit are included within the Tree Growth Tax Program, which include a total of 283.12 acres of land. This includes 37.9 acres of Softwood, 217.2 acres of Mixed Wood, and 28 acres of Hardwood.

### Local Forestry Regulations

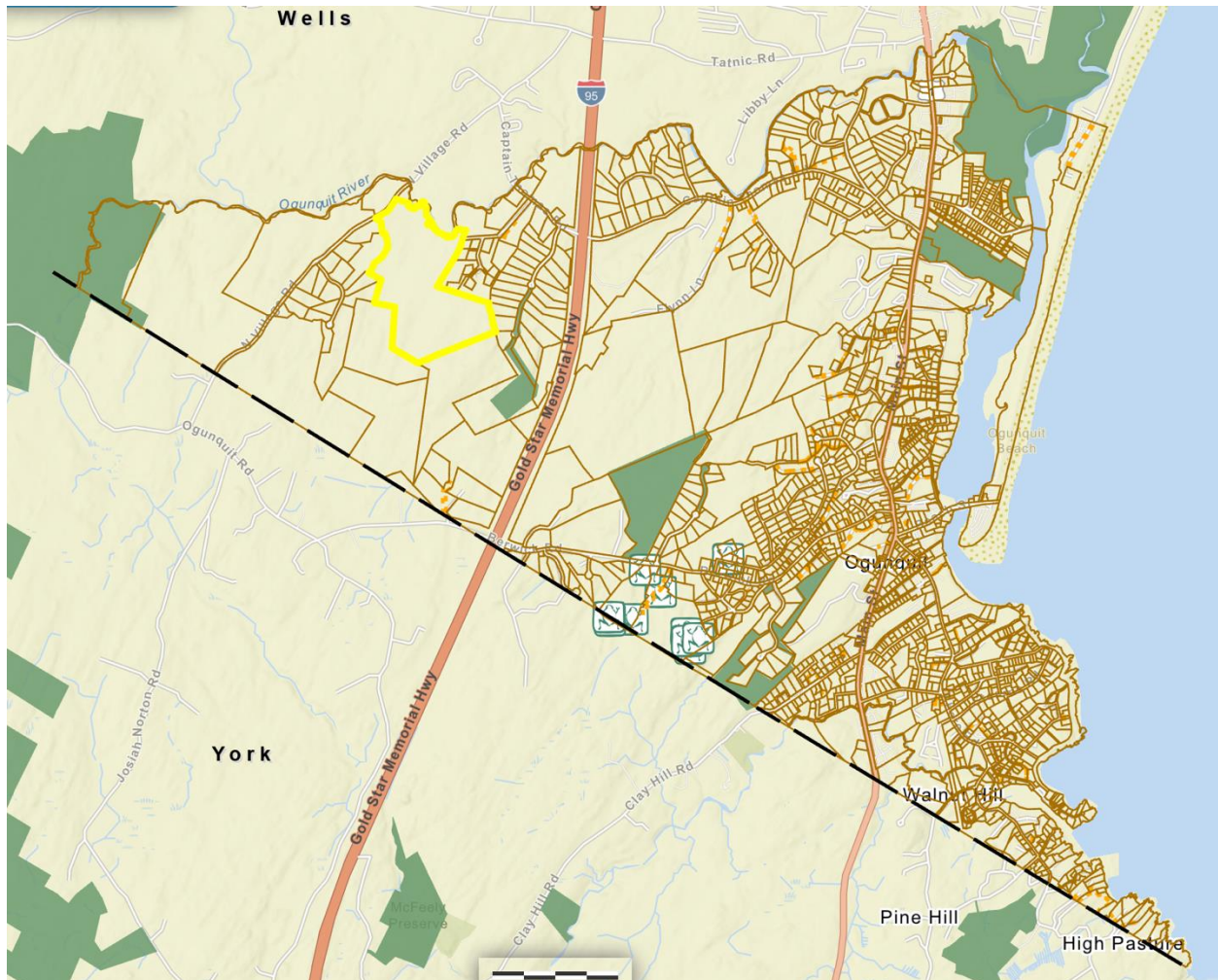
Zoning Code Section 225-9.21, *Timber harvesting outside of Shoreland Zone*, states:

Forest management activities outside of the Shoreland Zone shall meet the following standards:

- A. Within the public right-of-way of any new or proposed entrance onto a public way, a culvert approved by the Director of Public Works may be required to ensure that the natural flow of drainage water will not be interrupted and to protect the shoulder of the public road.
- B. Where yarding and loading operations are conducted within 50 feet of the right-of-way, all debris remaining after such operations shall be removed and the ground restored to its original contour.
- C. Notification must be made to the Maine Forest Service by the owner, if applicable.
- D. Whenever provisions of this chapter are less stringent than the corresponding provisions of applicable federal, state, or municipal law or regulations, the more stringent provisions apply.

### Land Trust Areas in Ogunquit

The Great Works Regional Land Trust has landholdings within the town located at Beach Plum Farm and the recently preserved Old Boston Land. The York Land Trust, located on the extreme west side of town, is part of the Mt. Agamenticus conservation area. The 2003 Comprehensive Plan set as a goal that the town would act to protect land in the less populated areas west of Route 1 and would continue to partner with other towns and organizations to protect and even acquire open areas and wildlife areas. It also set as a policy to require that timber harvesting and clearing be associated with best management practices to minimize the impacts of these activities. It set as a priority that new development should prioritize protecting valuable agricultural and forested land.



Protected land highlighted in Green; River Lily Farm highlighted in Yellow.

### Local Agriculture Regulations

The Ogunquit Zoning Ordinance establishes a Farm (F) zoning district, the purpose statement for which reads as follows: *To provide space for farming in the Town of Ogunquit in locations capable of conveniently servicing the needs of such establishments and preserving open space in rural areas of the community without impacting negatively the established character of the Town or adjoining zoning districts.*

For Agricultural uses, the Zoning Ordinance sets forth the following regulations in §225-9.2:

All spreading or disposal of manure shall be accomplished in conformance with the Maine Standards for Manure and Manure Sludge Disposal on Land, published by the University of Maine and Maine Soil and Water Conservation Commission in July 1972.

And for Animal Husbandry uses, in §225.9-3:

- A. All pasture, barns, barnyards, and other areas where the livestock, animals, or fowl are kept, housed, fed, or cared for shall be a minimum of 100 feet from the nearest dwelling other than the applicant's.

## Town of Ogunquit Comprehensive Plan

- B. Uncovered manure shall be kept 150 feet from the nearest dwelling other than the applicant's and 300 feet from any body of water or drinking water well.
- C. All feed and grain shall be stored in rodent-proof containers.
- D. All paddocks, pastures, barnyards, or other enclosures must be adequately fenced to contain livestock, animals, or fowl.

While there is only one commercial farm and no commercial forestry in Ogunquit, the town values the open space provided by that farm and the community gardens, as well as the environmental and recreation advantage of the wooded lots.

For Forestry, the Zoning Ordinance, in §225-9.21, states:

Forest management activities outside of the Shoreland Zone shall meet the following standards:

- E. Within the public right-of-way of any new or proposed entrance onto a public way, a culvert approved by the Director of Public Works may be required to ensure that the natural flow of drainage water will not be interrupted and to protect the shoulder of the public road.
- F. Where yarding and loading operations are conducted within 50 feet of the right-of-way, all debris remaining after such operations shall be removed and the ground restored to its original contour.
- G. Notification must be made to the Maine Forest Service by the owner, if applicable.
- H. Whenever provisions of this chapter are less stringent than the corresponding provisions of applicable federal, state, or municipal law or regulations, the more stringent provisions apply.

### Local Regulatory Bodies

In 2011, the town created a Conservation Commission, organized under Town Code Chapter 49. Article 49-6 sets its duties as follows:

- A. Keep records of its meetings and activities and make an annual report to the Select Board.
- B. Conduct research, in consultation with the Planning Board, on undeveloped natural areas and open spaces within the Town of Ogunquit.
- C. Seek to coordinate the activities of conservation bodies outside of the Town of Ogunquit organized for similar purposes.
- D. Keep an index of all open areas within the Town of Ogunquit, whether publicly or privately owned, including, but not limited to, wetlands, meadows, and forests, for the purpose of obtaining information relating to the proper protection, development, or use of those open areas.

It also sets the powers of the Commission, among others in Article 49-8:

- D. Recommend to the Town Meeting acquisition of lands for use as conservation land or a wildlife commons, as defined by this chapter and according to the procedure set forth below.
- E. When authorized by the Select Board, manage conservation land or wildlife commons acquired by the Town of Ogunquit for conservation purposes.

Finally, Ogunquit has created a Sustainability Committee, which has focused on preserving the future of the Ogunquit River estuary and has highlighted the importance of our forests in protecting wetlands within the town.

