

Colchester Agriculture Commission  
Minutes of Meeting  
Monday, July 16, 2012 - 7:00 P.M.  
Town Hall, Room 3

HANCOCK A. BRAY  
TOWN CLERK

*Hancock A. Bray*

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COLCHESTER, CT  
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Attending: J.Becker, L.Curtis, E.Gillman, A.Savitsky, D.Wasniewski,  
and also J.Savitsky (Alternate)

Liaisons attending: S.Soby (Board of Selectmen); C.Bourque (New London County Farm  
Bureau)

Also attending were D. Wray and L.Przekopski

**1. Call to Order:**

Meeting was called to order by Chairman E.Gillman at 7:03 P.M. (Note: A.Savitsky arrived at 7:05, J.Savitski arrived at 7:10, and D. Wasniewski arrived at 7:27.)

**2. Additions to Agenda:** None proposed.

**3. Approve Minutes of the Agricultural Commission on May 21, 2012:**

**MOTION:** J.Becker **moved that the minutes be approved as submitted.** L. Curtis seconded. There was no discussion and the motion **passed unanimously.**

**4. Citizen's Comments.**

D. Wray commended L. Curtis on the the comprehensive quality of the minutes of previous Agriculture Commission meetings.

L.Przekopski asked about the legality of sawmill operations on farmland woodlots in this town. He was advised that while this type of activity is legal, the regulations require that a permit be obtained from the Town of Colchester for any such sawmill activity.

**5. Chairman's Report:**

Chairman Gillman reminded the commission members to review the list of outstanding actionable items as reported in the second page of the meeting agenda. Later in the meeting she asked the commission members to be prepared at the next meeting to prioritize the items on this list for suggestions on a preferred order of consideration for future action.

**6) Old Business:**

**a) and b) Updates from Town Planner concerning the Slembeck Farm and the Cost of Community Services Study.**

The Town Planner was on vacation this week and was therefore not present at this meeting, thus there was no new information from him on either of these subjects. However, in further conversation on this subject later in the meeting, C.Bourque mentioned that the Cost of Community Services Study currently underway was written to include an analysis of the fiscal

impact on the town if additional tax exemptions that the state allows for farm machinery, farm buildings and extra property tax abatements on certain types of farms become allowed in Colchester. (This refers to item 6 on on page 2 of the meeting agenda.)

**c) Discussion and possible action on Agriculture Commission recommendations to the Planning & Zoning Commission concerning the town ordinance that forbids the raising of pigs and fur-bearing animals:**

L.Curtis noted a draft of the recommended revisions to Colchesters planning and zoning regulations have already been presented to the P&Z Commission at its June 21 meeting. According to S.Soby, all P&Z comments have been returned to staff for incorporation in the updated draft. This further revised document will be made available for review by all other Town commissions for their input later this summer or early fall.

In addition L.Curtis said that she had received from C.Bourque a copy of a draft of Guidance and Recommendations for Municipal Livestock Zoning Regulations dated 8/23/11. This document is being produced by the Eastern CT Resource Conservation & Development Area, Inc. with support from the American Farmland Trust. The intent of this document is to provide guidance and show best practices to CT municipalities for how to choose the wording of any new regulations that may be considered regarding the raising of livestock. It was agreed that this information should be made available to the entire commission to review before further action or too detailed a discussion of the specifics of this particular piggery proposal ensues.

L.Curtis said that she is of the opinion that it is not in the best interests of the Town to shape potential zoning regulation language changes simply to accommodate the specific business model of one farmer's vision for his potential livestock raising operations. Rather, any proposed changes should be made in the broader context to how they fit in with the proposed changes to the zoning regulations and the guidance from the document described in the paragraph above.

There was some discussion of how state laws and town regulations mesh. C.Bourque said that town regulations almost always supersede state regulations because CT is a "local rule state". S. Soby elaborated by informing us that legally any local ordinances or regulations cannot be less restrictive than what is proscribed by the state statutes, but they can be more restrictive.

C. Bourque said that in his opinion if Colchester is indeed an agriculture-friendly town, then we should not be in the business wording our local regulations to restrict any particular kind of agriculture use. Instead we need wording in our regulations that will insure that best agricultural management practices are enforced by the appropriate personnel from the CT Department of Agriculture or other agencies (such as the NRCS—National Resources Conservation Service).. L.Gillman concurred and added that our local zoning officials do not have expertise in these specifics of best agricultural management practices and and should not be involved in specific enforcement issues which are best left to the appropriate state or federal agency personnel. S. Soby said that when problems are brought to the attention of Town Hall, it is important for local officials to be the first responder, if only to assess the situation, so that they can immediately thereafter call upon the expertise of the appropriate state or federal agency to be involved in resolution of the issues.

L.Przekopski asked why Colchester has these regulations forbidding piggeries and the

raising of fur-bearing animals for commercial purposes. C.Bourque said that historically commercial-scale piggeries had gotten a bad reputation in other areas of the country for poor manure management practices which involved leakage from manure lagoons which then contaminated local watershed areas. Many towns across the U.S., as a result, proactively decided to pass laws to keep this problem from spreading to their communities by banning piggeries as a permitted agricultural usage. Nowadays, however, rather than try to contain the manure on site, it is more common practice to truck the manure off the premises. Mr. Bourque said that there are at least 50 manure hauling operations currently doing business in this state. Manure management plans are now regulated by the CT Department of Agriculture and/or the NRCS and is one of the most critical issues in livestock-raising operations. As for fur-bearing animals (such as mink), one theory is that these animals as a class were considered vermin and, earlier in our town history--when Colchester was a big chicken farming center--the potential for escape of this class of animals from commercial farms may have been considered a threat to the livelihood of the chicken farming operations in town and thus were proactively prohibited by local regulations.

C. Bourque also mentioned that it is the Farm Bureau's position that individual towns should not have animal density regulations but that there is a great need for wording of our local regulations to include provisions that will insure that the best management practices of those operations can be enforced by appropriate state or federal agencies with expertise in these areas.

**MOTION:** L. Curtis moved to table action on the piggery proposal until further study of this issue is completed. J.Becker seconded..

Discussion followed with L.Gillman wanting to insure that animal confinement issues were ultimately addressed and J.Becker concurring that she also had continued animal welfare concerns in confinement-raising facilities. A.Savitsky said that often these confinement methods are chosen because they are convenient and easy for the farmer to raise livestock in that manner, but were not necessarily the best humane model for the animals.

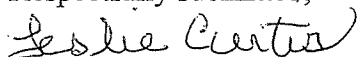
When the motion came to a vote, it **passed unanimously.**

L.Curtis will email the draft of the Municipal Livestock Regulations to Chairman Gillman who will then distribute it to the rest of the Agriculture Commission Members and also to the Town Planner. S.Soby will inform the Planning & Zoning Commission of this decision to table the issue until new regulations and recommendations have been reviewed with the goal of having Colchester's local regulations align with the current best agricultural management practices as articulated by experts in these matters.

## **7. Adjournment:**

**MOTION:** A.Savitsky moved to adjourn the meeting at 8:03 P.M. D.Wasniewski seconded. Unanimously approved.

Respectfully submitted,



Leslie Curtis  
Secretary