

§190-65 Agricultural uses.

A. Purpose

The purpose of these regulations is to maintain appropriate standards and permitting processes to preserve and encourage a diversity of agriculture in Mansfield while promoting a healthy, sustainable environment for people, livestock, plants, and wildlife.

B. General

All agricultural uses shall follow generally accepted agricultural practices as determined by the Commissioner of Agriculture pursuant to C.G.S. § 19a-341 and conform to best management practices for chemical applications where appropriate. Agricultural uses shall conform with §190-75 Performance Standards.

C. Standards for Agricultural Uses

1. **Agricultural Crops.** The growing of agricultural crops, as defined in CGS §1-1q, is permitted as of right.
2. **Keeping of Livestock and Poultry.** The keeping, breeding, or raising of livestock and/or poultry, on a parcel of land, and any associated accessory buildings and facilities required for this activity, are permitted by right, provided the following standards are met:
 1. All animals should be provided with shelter in accordance with generally accepted agricultural practices as determined by the Connecticut Department of Agriculture Animal Control Unit.
 2. Livestock shall always be suitably and adequately confined or controlled on property owned or leased by their owner. This provision shall not be construed to restrict the movement of bees kept in apiaries.
 3. Agricultural structures such as stables, barns, or coops over 200 square feet, and outside animal keeping areas such as corrals, pens, or paddocks shall be a minimum of 50 feet from front property lines, 35 feet from side property lines, and 20 feet from rear property lines.
 4. There are no setback requirements for portable small animal enclosures that are regularly moved to maintain ground cover, such as chicken tractors.
 5. **Manure Storage and Management**⁴
 - a. Surface water flows shall be diverted away from manure storage areas, stables, barns, and outside keeping areas such as corrals or pens.
 - b. Manure shall not be stored within 50 feet of the front property line, 75 feet from the side or rear property lines, 150 feet from any private drinking water wells or public water supply wells serving 25 people or more, or 100 feet of wetlands or waterways. If a property cannot meet the above manure setbacks, manure may be kept indoors or in covered storage bins or containers.
 - c. Manure shall not be stored or spread in areas with greater than 15% slope.
 - d. Manure shall not be spread within 150 feet of any private drinking water wells.

6. Excess Manure/Compost. Any excess manure and/or compost produced on an agricultural site may be sold for off-site use. However, compost that is primarily from materials not generated on the subject site shall not be sold unless a Special Use Permit approval is obtained in accordance with §190-74. (Any questions regarding this provision resolved by the Planning and Zoning Commission with advisory input from the Agriculture Committee).
 7. Guinea fowl are not permitted on lots smaller than 120,000 square feet.
- 3. Farm Stands:** The display and sale of farm products on any property shall be permitted as of right, provided:
- a) The sale of farm products is conducted from display tables, shelving carts, or structures less than 200 square feet in area, and only utilized during periods when agricultural products are harvested onsite as described in Section C.2(b);
 - b) Display tables, shelving carts, or structures serving as a farm stand shall be located at least 15 feet from the front lot line and 20 feet from other lot lines.
 - c) A majority of products sold shall be grown or produced on the farm stand property or other land owned or leased by the operator. Limited accessory items may be offered, such as wreaths or tree stands at Christmas tree farms; jams, jellies, herb vinegars, or cider at fruit and vegetable farms; maple syrup at sugar bushes; and seeds, fertilizers, peat moss, or soil amendments. Questions regarding compliance with these standards shall be determined by the Planning and Zoning Commission, with input from the Agriculture Committee.
 - d) Parking spaces for at least two (2) cars shall be provided behind the street right-of-way line. Safe and adequate sightlines must be provided, and the driveway.
- 4. Signs**
- a) Signs for farms or farm stands shall be subject to the requirements in Article 9 of these regulations.
- 5. Other Commercial Agricultural Uses-** Any other agricultural use that is not specially authorized herein or by other provisions of these Regulations may be permitted in the RAR-90 Zoning District, provided Special Use Permit approval is obtained in accordance with § 190-74.

D. Permitting and Procedures. All Agricultural uses other than agricultural crop production shall be permitted in accordance with the standards and procedures below:

1. A zoning permit is required for all structures over 200 square feet except for high tunnels or caterpillar tunnels, as defined in §190-13, provided that such structures are located at least 10 feet from side or rear yard lines and 25 feet from front yard lines.
2. Agricultural Uses may be subject to a compliance review by the zoning agent at their request if it appears that a use may require permits that have not been obtained.
3. This section shall not be construed to grant waiver of any other permits from other town departments, Eastern Highland Health District, state agencies, or any other pertinent bodies.
4. The Commission may, in the reasonable exercise of its discretion, determine that an alleged violation of this Subsection will be adequately addressed by another government agency with appropriate enforcement authority, or that the complaint pertains to a private nuisance that does not significantly impact the health, safety, or welfare of the Town of Mansfield. In such cases, the Commission is not obligated to receive or act upon the alleged violation or complaint.

§190-13 Definitions

- **Agriculture** - The growing of crops; raising of livestock; storage, processing, and sale of livestock or horticultural products and commodities, as defined in CGS §1-1q.
- **Caterpillar Tunnel:** A seasonally-moved High Tunnel.
- **Farmers Market:** A seasonal selling or offering for sale at retail of vegetables or produce, flowers, orchard products, and similar non-animal agricultural products, occurring in a predesignated area, where the vendors and individuals who have raised the vegetables or produce or have taken the same consignment for retail sale.
- **Farm Stand:** A retail outlet for agricultural products accessory to a farming operation in which the majority of the products have been grown or produced on the same property as the farm or on other land owned or leased by the farmer.
- **Farm Store:** A retail outlet for agricultural products accessory to a farming operation in which the majority of the products have not been grown or produced on the same property as the farm or on other land owned or leased by the farmer.
- **Farm Winery/Brewery/Distillery:** Any place or premises that is located on a farm in which wine, beer, or spirits are manufactured and sold.
- **Greenhouse:** A structure with a roof and sides made of transparent material, used for growing plants under controlled environmental conditions, often for commercial purposes. May have a foundation or include permanent mechanical systems such as heaters, fans, and lights.
- **High Tunnel:** A plastic-covered, unheated, hoop structure with no foundation used to extend the growing season and protect crops from weather, allowing for earlier planting, later harvests, insect and disease control and sometimes year-round production.
- **Livestock:** The term “livestock” shall be defined as it is in CGS §22-278, as amended.
- **Poultry:** The term “poultry” shall be defined as it is in CGS §22-326(s) (5), as amended.

Other Changes:

Delete §§ 190-9A(7)(a) and (b)

(7) **Accessory buildings and uses** (see § 190-13), provided the following conditions are met:

~~(a) The following uses are not considered accessory uses in the R-20 and R-90 zones:~~

~~[1] Keeping of horses, donkeys, burros, llamas, cows, sheep, goats, chickens and other farm animals;~~

~~[2] Keeping of wild or ferocious animals or any domestic animals weighing over 150 pounds at maturity;~~

§ 190-19A(2) change “pit” to “storage”

- (2) Agricultural structures/manure pit storage. § **190-65** includes special setback provisions for agricultural uses and structures.