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**CORRECTION:** In the January/February, 2015 edition of *Town and City*, we wrote that “any ten voters” have the right to add articles to the warrant by petitioning the selectmen five weeks in advance of the annual town meeting (see #7, page 12). The correct number of voters is “25 or more voters, or 2 percent of the registered voters in town, whichever is less, but not fewer than 10 registered voters.”

COVER PHOTO: Courtesy of the New Hampshire Farm Bureau Federation.

## New Hampshire Town and City Magazine Staff

*Executive Director* Judy A. Silva  
*Editor in Chief* Timothy W. Fortier  
*Contributing Editors* Margaret M.L. Byrnes  
 Barbara T. Reid  
*Art Director* Scott H. Gagne  
*Production/Design* Scott H. Gagne

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 25 Triangle Park Drive • Concord, New Hampshire 03301  
 Phone: 603.224.7447 • Email: nhmainfo@nhmunicipal.org • Website: www.nhmunicipal.org

**New Hampshire Municipal Association Phone: 800.852.3358 (members only)**  
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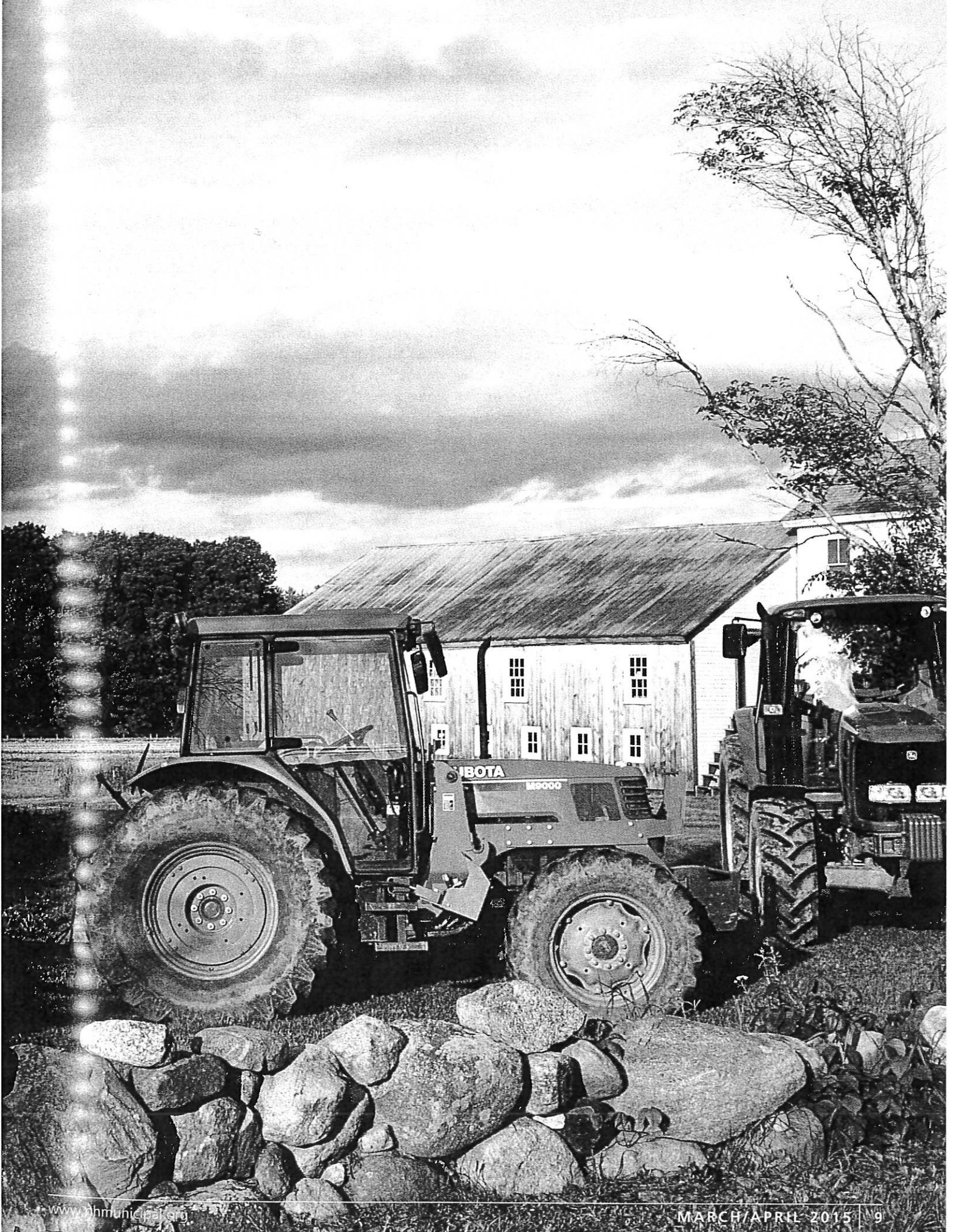
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# WHAT IS AN AGRICULTURAL COMMISSION?

By Lorraine Stuart Merrill

**T**he purpose of an agricultural commission is to protect agricultural lands, preserve rural character, provide a voice for farmers, and encourage agriculture-based businesses. For years, New Hampshire farmers have served as stewards of land and water resources, and provided habitat for native plants and animals. As New Hampshire communities grow and change, citizens are looking for ways to support local farms, and foster new ones.



JOHN DEERE  
M9000

## AGRICULTURAL *from page 9*

Agricultural commissions are a new idea for New Hampshire municipalities seeking to balance growth and quality of life issues, and preserve local character. A New Hampshire town or city may choose to establish an agricultural commission to promote, enhance, and encourage the interests of farming, agricultural resources, and rural aspects of community life. Citizens can use an agricultural commission to help keep farming viable and vibrant in their community, whether rural, small town, suburban, or urban.

Establishing an agricultural commission is an option for communities that value their local farms and rural character, keeping land in open space, and healthy, locally-produced foods. An agricultural commission has no regulatory or enforcement authority. In general, an agricultural commission serves a similar role for local agriculture as a heritage commission for historical resources, or as the non-regulatory aspect of a conservation commission for natural resources. Heritage and

conservation commissions, and other municipal boards, may spend some time on agricultural issues, but they also have many other responsibilities that prevent them from concentrating on agriculture.

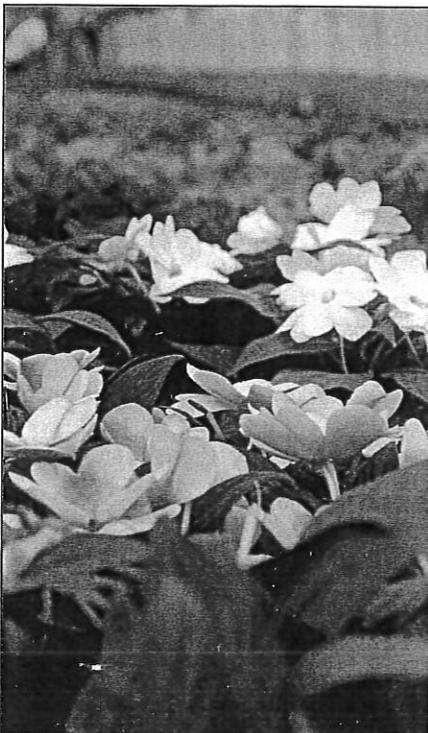
An agricultural commission focuses primarily on agriculture. It will typically work cooperatively with other town or city governing and land use boards and commissions to make sure the concerns and interests of farmers are better understood and considered in their decision-making processes. An agricultural commission may:

- Advise and work with other boards and commissions on issues facing farming in the town;
- Conduct inventories of agricultural resources;
- Conduct inventories of historic farms and farm buildings;
- Educate the public on matters relating to farming and agriculture;
- Serve as a local voice advocating for farmers, farm businesses, and farm interests;
- Provide visibility for farming;

- Give farmers a place to go to for help;
- Help resolve farm-related problems or conflicts; and
- Help protect farmland and other natural resources.

### Where Did The Idea Come From?

The idea of creating of local agricultural commissions was pioneered by residents of urbanizing communities in Massachusetts, Washington, and California who valued and wanted to cultivate their agricultural heritage and resources. In these states, such commissions gained acceptance and became an important voice for agriculture. These areas confronted many of the same challenges facing New Hampshire: towns with a strong sense of community and desire to preserve rural character, experiencing rapid population increases and rising land values. Rather than allow agriculture to be pushed from their towns, these pioneers found a way to promote the interests of agriculture through public education, contributing input to town governing and land use boards, and



## Growing Trends of New Hampshire Agriculture: A Snapshot

- In 2012, 8.3 percent of New Hampshire's total land area was in farms. There are a total of 5,729,877 acres in New Hampshire of which 474,065 acres was considered farmland. Farmland includes forests, swamps, cropland, pastures, as well as other land.
- New Hampshire had 4,391 farms in 2012, up from 4,166 in 2007.
- In 2012, New Hampshire was number one nationally in percentage of all farms that have direct sales to consumers.
- Agriculture is responsible for 13,410 jobs in New Hampshire. This includes 6,660 hired full- and part-time jobs, 4,391 principal operators, with the remainder being partners.
- Agricultural sales have increased to \$199.9 million in 2012, up slightly from \$199 million in 2007.
- The total lands in New Hampshire supporting agriculture increased 2,154 acres from 2007 to 2012.

Sources: 2012 Census of Agriculture; Gary Keogh, State Statistician, National Agricultural Statistics Service, U.S. Department of Agriculture, New England Field Office

enhancing the value of agriculture in the public mind as an essential component of the local quality of life.

Each community may choose to adopt an agricultural commission. Typically, selectmen or town or city councilors appoint members representing the principal elements of the local agricultural community and agricultural businesses, by geography, commodity, and size of farm. An agricultural commission may include other supporters of farming and land preservation as well as people who also serve on other town boards and commissions, such as the planning board or conservation commission. This can facilitate communication among town leaders about ways to enhance agriculture, and provide opportunities for education and informed debate on proposed local ordinances that may affect agriculture.

### What Does an Agricultural Commission Do?

Agricultural commissions do not have any enforcement powers or regulatory authority. Their role is to advise other town boards and advocate for farming.

Agricultural commissions serve as an information bridge between farm businesses and the non-farm public. For example, the planning board may draft an amendment to the town zoning ordinance regulating signs. The agricultural commission can advise the planning board of potential impacts on farm businesses, and recommend ways the ordinance could be written to assist farm businesses, such as allowing temporary signs for seasonal crops.

Actions by town boards that unduly restrict farm businesses are often taken without specific consideration of consequences to farmers. Agricultural commissions provide a positive way for the governing bodies of the town to consider the effects on agriculture before taking action.

Other potential activities of an agricultural commission may include:

- Publicizing farm retail outlets in the town;
- Fundraising for farmland protection and economic development;
- Providing mediation and conflict resolution on farm-related disputes;
- Collaborating with other town boards to review development proposals;
- Holding educational workshops on intergenerational transfer of property;
- Conducting an inventory of farms and barns;
- Discussing state and federal grant and land protection programs;
- Starting local farmers' markets;
- Obtaining technical assistance on conservation easement planning, woodlot management, nutrient management, environmental stewardship, and non-point source pollution management;
- Adopting local Right-To-Farm bylaws;
- Hosting farm festivals; and,
- Much, much more.

### Getting Started

Agricultural commissions provide a mechanism for towns to take positive action to remain or become more farm-friendly. Assuring that voters understand and support the concept before the town votes to establish an agricultural commission requires considerable preparation and groundwork.

Any local resident or group interested in farming, farm businesses, growth, rural character, open space, and related issues in their community can start organizing support for an agricultural commission. There is no one formula to assure a town will adopt an agricultural commission, but towns that have organized agricultural commissions usually follow these steps:

## New Hampshire Towns with Agricultural Commissions

(The year the Agricultural Commission was created is noted next to each town)

Brookfield  
Boscawen (2010)  
Canterbury (2009)  
Chester (2011)  
Chichester (2010)  
Durham (2011)  
Effingham (2010)  
East Kingston (2011)  
Fitzwilliam (2011)  
Harrisville (2011)  
Hollis (2009)  
Lee (2008)  
Loudon (2008)  
Marlow (2008)  
Merrimack (2008)  
Nelson (2011)  
Newton (2011)  
North Hampton (2009)  
Peterborough (2011)  
Richmond (2011)  
Sandwich (2010)  
Tuftonboro (2009)  
Weare (2008)  
Wolfeboro (2009)  
Webster

*Source: Nada Haddad, Field Specialist, Food and Agriculture, UNH Cooperative Extension, Rockingham County.*

1. Individuals or groups express interest in an agricultural commission and one or two people agree to coordinate organizational tasks.
2. In some towns, one of the first tasks is building a case that the town has agricultural enterprises in need of a voice. Many towns overlook agricultural businesses, assuming that greenhouse growers, Christmas tree growers, hay producers, or pick-your-own berry or flower growers are somehow not really farms.
3. Organizers of an agricultural commission should consider making a preliminary inventory of agricultural operations in their town to generate data about the number, size, scope, and diversity of farm businesses and services in town. This will help to identify a “farmer network” of potential supporters.
4. Talk with farmers, community decision makers, residents, boards, and committees to assess and build interest in creating an agricultural commission.
5. Gather support from farmers and town leaders for a public exploratory and informational meeting about organizing an agricultural commission.
6. An agricultural commission exploratory meeting helps determine if creating an agricultural commission is a good idea for the community.
  - Invite farmers directly, and invite residents and the public through postings, press releases, and community newsletters.
  - Have knowledgeable people or members of established agricultural commissions speak about the purpose and activities of these commissions, and how the community benefits.
7. The steering committee volunteers convene to agree on a date, place, and time to meet. Include representatives on the steering committee from the board of selectmen or council, and staff such as administrator, planner, or health officer.
8. Typical steering committee work includes:
  - Ask an active farmer, town administrator, and/or selectman to facilitate the meeting.
  - Following the presentations and opportunity for questions and answers, the facilitator should ask the audience: Is an agricultural commission a good idea for our town? Do you think we should organize an agricultural commission?
  - The facilitator then asks for volunteers to serve on a steering committee to develop an article to establish an agricultural commission for the town meeting warrant, and educate voters and town officials about the article and its benefits.
9. The article is presented at town meeting for discussion, questions, and vote.
10. Selectmen solicit applications for agricultural commission membership. Often the selectmen, the appointing authority, will seek advice on appointments from the steering committee.
11. Selectmen notify members in writing, with a list of all members’ addresses and phone numbers, and charges them to meet within a certain date.
12. Selectmen may facilitate the first meeting of the appointed agricultural commission membership.

### **How Agricultural Commissions Work**

Members attend meetings regularly, and serve to fulfill the purpose of the agricultural commission as stated in the ordinance. (Example: serve as facilitators for encouraging the pursuit of agriculture and promote agriculture-based economic opportunities in the town.) Members report on issues of concern, serve on subcommittees, vote, and conduct business based on written rules of procedures.

Alternate members attend meetings regularly and vote in the absence of a regular member. Alternates and other participants, often referred to as advisors and circle of friends, play a key part in the success of the commission. Several established agricultural commissions have found these positions extremely helpful.

Advisors are volunteers who serve at the request of the agricultural commission members. They attend meetings and provide information, expertise, and recommendations to help guide the work of the agricultural commission. They may also provide clerical and organizational assistance, help members navigate local politics, advise agricultural commission members on connecting with agricultural service providers, and help plan meetings, social events, and public education events. Seeking the involvement and contributions of individuals who are interested in agriculture is very important.

Circle of Friends are people in the community (or connected to the com-

munity) who possess particular skills, experience, and abilities that can help the agricultural commission achieve its goals. Friends of agriculture, including graphic artists, legal counsel, soil scientists and journalists, are honored to be asked for help when the task is well-defined, short-term, and achievable.

Electing officers is one of the first responsibilities of a newly organized agricultural commission. Officers (chair, vice-chair, secretary and treasurer) lead the commission through meetings, public events, and community relations. Here are some suggested roles and responsibilities for officers:

### ***Develop a Plan of Work***

Each local agricultural commission determines its own plan of work, often seeking advice and input from members of the farm community as well as others in the community interested in a vibrant local agriculture.

Agricultural commissions often form subcommittees that may include other volunteers to implement the plan of work. Here are examples of efforts undertaken by commissions.

- Prepare an inventory of agriculture to help residents appreciate the diversity, scope, and economic contributions of farming in their town, and to identify agricultural and natural resources, such as protected lands, under farm stewardship.
- Build relationships with town boards to help increase mutual understanding of the mission and authority of all town boards and commissions, build trust and credibility, facilitate effective communication and education efforts, help manage and reduce conflict, and allow collaboration on changes in planning, zoning, health, and finance that positively affect agriculture.

## **Enabling Statutes: Forming an Agricultural Commission in Your Town or City**

**674:44-e Agricultural Commission.** – An agricultural commission may be established in accordance with RSA 673 for the proper recognition, promotion, enhancement, encouragement, use, management, and protection of agriculture and agricultural resources, tangible or intangible, that are valued for their economic, aesthetic, cultural, historic, or community significance within their natural, built, or cultural contexts. The word “agriculture” shall include the entirety of RSA 21:34-a, which is the definition of farm, agriculture, and farming.

**Source.** 2007, 266:1, eff. Aug. 28, 2007.

**674:44-f Powers.** – Agricultural commissions shall have advisory and review authority and other duties as follows:

- I. Survey and inventory all agricultural resources.
- II. Conduct activities to recognize, promote, enhance, and encourage agriculture, agricultural resources, and agricultural-based economic opportunities.
- III. Assist the planning board, as requested, in the development and review of those sections of the master plan which address agricultural resources.
- IV. Advise, upon request, local agencies and other local boards in their review of requests on matters affecting or potentially affecting agricultural resources.
- V. Coordinate activities with appropriate service organizations and non-profit groups.
- VI. Publicize and report its activities.
- VII. Hire consultants and contractors as needed.
- VIII. Receive gifts of money to assist in carrying out its purpose.
- IX. Hold meetings and hearings necessary to carry out its duties.

**Source.** 2007, 266:1, eff. Aug. 28, 2007.

**674:44-g Appropriations Authorized.** –

- I. A town or city, having established an agricultural commission under this subdivision, may appropriate money as deemed necessary to carry out its purposes. The whole or any part of money so appropriated in any year and any gifts of money received pursuant to RSA 674:44-f shall be placed in an agricultural fund and allowed to accumulate from year to year.
- II. The town treasurer, pursuant to RSA 41:29, shall have custody of all moneys in the agricultural fund and shall pay out the same only upon order of the agricultural commission. The disbursement of agricultural funds shall be authorized by a majority of the agricultural commission. The use of such funds shall not be for the purchase of any interest in real property.

**Source.** 2007, 266:1, eff. Aug. 28, 2007.

## AGRICULTURAL *from page 13*

- Educate the public, new residents, town boards, and youth about the people, businesses, and lifestyles associated with farming to help make agriculture more visible in the community, and to increase awareness of issues related to retaining farm families, farmland, and farm businesses. Increased knowledge can result in more informed decisions.
- Manage and resolve conflicts within the community.
- Adopt a local Right-to-Farm ordinance to reinforce community support and awareness of the NH Right-to-Farm Law (RSA 432:32-35) and the NH definition of agriculture (RSA 21:34A).
- Perform farmland protection activities, including the promotion of planning and zoning that supports agricultural land and businesses. Commissions can learn about state, federal, and non-profit programs to protect farmland, and work with landowners, local conservation commissions, conservation districts, and other agencies to conserve farmland.
- Use the New Hampshire Coalition for Sustaining Agriculture publication "Preserving Rural Character Through Agriculture: A Resource Kit for Planners" as a tool

for finding ways to help the town to become more farm-friendly.

### ***Establish a Budget***

Funds and an operating budget are needed to accomplish the work of an agricultural commission, just as most town standing committees have a line item budget. Agricultural commission budgets generally range from zero to \$1,000. An agricultural commission gains credibility from even a modest appropriation. Typically the budget is based on the plan of work for the year. Some agricultural commissions have sought and received grants from land trusts and other non-profit or business sources.

### ***Communicate with the Public***

Open meetings provide a place for members of the agricultural commission and the public to engage in the give-and-take of opinion, advocacy, and resolution. Keeping communication open with other town boards,

town staff, businesses and residents helps further the mission, goals, and vision of the commission.

Communication with the public generates awareness of the agricultural commission and local agriculture, and encourages public participation. Publicity and outreach efforts, open and welcoming conduct of meetings, liaison relationships with other town boards, and maintenance of public records all contribute to positive communication. Sponsoring or participating in local fairs, farmers' markets, farm or food festivals, farm-to-school programs, or other town events helps nurture community connections to local agriculture.

*Lorraine Stuart Merrill is a dairy farmer and writer specializing in agriculture, business, and the environment. She currently serves as the commissioner of the New Hampshire Department of Agriculture, Markets and Food.*

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## Resources for Agricultural Commissions

Assistance is available to organize and support the activities of an agricultural commission. Please contact the organizations below for information and suggestions.

### **New Hampshire Department of Agriculture, Markets & Food**

*Contact:* Gail McWilliam Jellie, Director  
Division of Agricultural Development  
New Hampshire Department of Agriculture,  
Markets & Food  
PO Box 2042  
Concord, NH 03302  
(603) 271-3788  
gmcwilliam@agr.state.nh.us  
<http://agriculture.nh.gov>

### **University of New Hampshire Cooperative Extension**

*Contact:* Amy Ouellette, Program Leader,  
Agricultural Resources  
UNH Cooperative Extension  
59 College Road, Taylor Hall  
Durham, NH 03824-3587  
(603) 862-2033  
amy.ouellette@unh.edu  
[www.extension.unh.edu](http://www.extension.unh.edu)

### **New Hampshire Coalition for Sustaining Agriculture**

*Contact:* Nada Haddad, Extension Educator,  
Agricultural Resources  
UNH Cooperative Extension, Rockingham County  
113 North Road, Brentwood, NH 03833  
(603) 679-5616  
nada.haddad@unh.edu  
[www.extension.unh.edu](http://www.extension.unh.edu)

### **New Hampshire Division of Historical Resources**

*Contact:* Mary Kate Ryan  
State Survey Coordinator  
NH Division of Historical Resources  
19 Pillsbury Street  
Concord, NH 03301-3570  
603-271-6435  
marykate.ryan@dcr.nh.gov  
[www.nh.gov/nhdhr/](http://www.nh.gov/nhdhr/)

### **North Country RC&D Area Council (Belknap, Carroll, Grafton and Coos counties)**

*Contact:* Rick DeMark, Coordinator

North Country Resource Conservation &  
Development (RC&D) Council  
2 Airport Road, Unit 1  
Gilford, NH 03249  
(603) 527-2093  
[www.nhrcd.net](http://www.nhrcd.net)  
[northcountryrccd@metrocast.net](mailto:northcountryrccd@metrocast.net)

### **New Hampshire Farm Bureau Federation**

*Contact:* Rob Johnson, II, Policy Director  
295 Sheep Davis Road Concord, NH 03301  
(603) 224-1934  
robj@nhfarmbureau.org  
[www.nhfarmbureau.org](http://www.nhfarmbureau.org)

### **Center for Land Conservation Assistance**

*Contact:* Dijit Taylor, Director  
Society for the Protection of New Hampshire Forests  
54 Portsmouth Street Concord, NH 03301  
(603) 717-7045  
dtaylor@forestsociety.org  
[www.clca.forestsociety.org](http://www.clca.forestsociety.org)

### **American Farmland Trust**

*Contact:* Cris Coffin, New England Director  
1 Short Street, Suite 2  
Northampton, MA 01060  
(413) 586-9330 ext. 21  
ccoffin@farmland.org  
[www.farmland.org](http://www.farmland.org)

**Vital Communities** (Upper Connecticut Valley communities of Bath, Landaff, Haverhill, Benton, Piermont, Warren, Orford, Wentworth, Lyme, Dorchester, Hanover, Canaan, Orange, Lebanon, Enfield, Grafton, Plainfield, Grantham, Springfield, Wilmot, Cornish, Croydon, Sunapee, New London, Claremont, Newport, Goshen, Newbury, Charlestown, Unity, Langdon, Acworth, Lempster, and Walpole)

*Contact:* Nancy LaRowe, Valley Food & Farm Coordinator  
195 North Main Street  
White River Junction, VT 05001  
Main number: 802-291-9100  
Fax: 802-291-9107  
[nancy@vitalcommunities.org](mailto:nancy@vitalcommunities.org)  
[www.vitalcommunities.org](http://www.vitalcommunities.org)

(Continued next page)

**Potential sources of grant funds for agricultural commissions:**

**New Hampshire Charitable Foundation**

Community Impact Grants are available to address a range of needs and opportunities to improve NH communities, including support of agriculture.

37 Pleasant Street Concord, NH 03301

(603) 225-6641

[info@nhcf.org](mailto:info@nhcf.org)

[www.nhcf.org](http://www.nhcf.org)

**New England Grassroots Environment Fund (NEGEF)**

To increase engagement and participation in grassroots environmental initiatives and to build and connect healthy, sustainable communities in New England, NEGEF funds community involvement in projects that address a wide range of environmental issues including: agriculture, air quality, alternative energy, aquifer protection, biotechnology, community gardens, environmental justice, energy conservation, forestry, global warming, land trusts, marine environment, public health, sprawl, sustainable communities, toxics and hazardous waste, trails, water quality, watershed management, wetlands, wildlife, and youth-organized environmental work.

New England Grassroots Environment Fund

PO Box 1057

Montpelier, VT 05601

(802) 223-4622

[info@grassrootsfund.org](mailto:info@grassrootsfund.org)

[www.grassrootsfund.org](http://www.grassrootsfund.org)

**Northeast Sustainable Agriculture Research and Education (NESARE)**

NESARE offers Sustainable Community Grants to organizations such as community nonprofits, Cooperative Extension, local governments, educational institutions, planning boards, farming cooperatives, and incorporated citizens' groups. The purpose of the Sustainable Community Grants program is to reconnect rural revitalization and farming. Projects can address diverse issues such as land use, nutrition, employment, markets, education, farm labor, public policy, and environmental quality. NESARE seeks proposals that will bring together farmers, local government, citizens, community nonprofits, extension, civic and environmental organizations, and others who contribute to

community vitality. Projects should support appropriate growth, improved quality of life, a cleaner environment, and farm diversity and profitability.

NESARE is also a source for information about books, brochures, websites and other information that may be helpful to community advocates for agriculture.

**NESARE**

University of Vermont

Hills Building

105 Carrigan Dr.

Burlington, VT 05405-0082

(802) 656-0471

[nesare@uvm.edu](mailto:nesare@uvm.edu)

[www.uvm.edu/~nesare](http://www.uvm.edu/~nesare)

