



**TOWN OF CAPE ELIZABETH
TOWN CLERK'S OFFICE**

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To: Maureen O'Meara, Town Planner
From: Debra Lane, Town Clerk
Re: Referral to Planning Board Re: Size of High
Tunnel/Greenhouse Agricultural Buildings
Date: May 24, 2021

On May 10, 2021, the Town Council referred a request from the William H. Jordan Farm to increase the size of high tunnel/greenhouse (aka hoop houses) agricultural buildings to the Planning Board.

Below is an excerpt from the agenda, draft minutes and a copy of the request.

Please let me know if you have further questions.

Thank you very much.

Excerpt from the Agenda:

Item #88-2021 Request to Amend Chapter 19 Zoning Ordinance Relating to Agricultural Buildings

Opportunity for Public Comment. (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.) Persons wishing to address the council shall indicate their desire using the Raise Hand function of the Zoom meeting. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is pertinent.

The William H. Jordan Farm is requesting consideration of amending Chapter 19 Zoning Ordinance regarding the size of agricultural buildings. The current ordinance Sec. 19-9-2 Applicability under Activities Not Requiring Site Plan Review limits agriculture buildings to not exceed 2,000 sq. ft. in size. The proposal would increase the size not to exceed 3,000 sq. ft. This will allow for more growing space for farms thus extending their season or year round production. This will also allow Cape Elizabeth farms to participate in the High Tunnel program funded by the USDA's NRCS EQUIP program.

A memo from the William H. Jordan Farm explains the request.

Due to the subject of the request, two councilors, who also serve on the ordinance committee, have a conflict of interest. Therefore it is recommended the request be referred to the planning board.

Draft Motion ORDERED, the Cape Elizabeth Town Council refers to the planning board for review and report back to the town council a request to increase the size of agricultural buildings, Sec. 19-9-2.

Excerpt from the Draft Minutes:

Item #88-2021 Request to Amend Chapter 19 Zoning Ordinance Relating to Agricultural Buildings

Due to the subject of the request, Councilors Caitlin Jordan and Penelope Jordan will abstain from discussion and voting on this item due to a conflict of interest. In addition, the request is from the William H. Jordan Farm which Councilor Penelope Jordan is a co-owner.

Clarification – The request relates to high tunnel/greenhouse (aka hoop houses) not all agricultural buildings.

Moved by Valerie J. Deveraux and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council refers to the planning board for review and report back to the town council a request to increase the size of high tunnel/greenhouse agricultural buildings, Sec. 19-9-2.

(5 yes) (0 no) (2 abstentions Councilors Caitlin and Penelope Jordan)

To: Cape Elizabeth Town Council
From: William H Jordan Farm

Date: May 3, 2021

Re: Agricultural Buildings – High Tunnels**/Greenhouse

EXISTING SITUATION

Chapter 19 of Cape Elizabeth’s Zoning Ordinances - SEC. 19-9-2 APPLICABILITY under ***Activities Not Requiring Site Plan Review*** identifies:

Agricultural buildings: Any barn, greenhouse, or storage shed with a building footprint that does not exceed 2,000 sq. ft. in size.

THE CHALLENGE

The “not to exceed” 2,000 sq. ft. presents an issue for farms wishing to participate in the High Tunnel program funded by the USDA’s NRCS EQUIP program. Under the USDA requirements a high tunnel must cover greater than 2,100 sq ft. Therefore, any high tunnel a farm wishes to erect that meets the reimbursement requirements from the USDA will trigger site plan review.

Many of the farms in Cape Elizabeth desire to take advantage of the USDA’s High Tunnel program and as a result I am requesting that the Town Council recommend a review for a potential change.

DESIRED OUTCOME

The desired outcome would be an increase in the “not to exceed” square footage for high tunnels to 3,000. This will allow for more than enough growing space for farms that want to extend their season or do year round production. This will result in more fresh food available to our community and more resilient farm businesses.

As you know the Comprehensive Plan recommends supporting agricultural activities in our community.

52. Continue the farm-friendly regulatory structure, including but not limited to allowing agriculture related uses, the TDR agricultural bonus and agricultural land preservation as part of open space zoning developments.

***** Definition – HIGH TUNNEL***

High Tunnels, sometimes called hoop houses, are steel-framed, polyethylene-covered structures that extend the growing season. High tunnel benefits include better plant and soil quality, fewer nutrients and pesticides in the environment, and better air quality because the crops are usually sold locally, decreasing fuel use for transportation. High tunnels protect plants from severe weather and allow

farmers to extend their growing seasons – growing earlier into the spring, later into the fall, and sometimes, year-round.

And because high tunnels prevent direct rainfall from reaching plants, farmers can use precise tools like drip irrigation to efficiently deliver water and nutrients to plants. High tunnels also offer farmers a greater ability to control pests and can even protect plants from pollen and pesticide drift. Perhaps the best thing about high tunnels is that they help farmers provide their communities with healthy local food for much of the year – food that requires less energy and transportation inputs.

