

# Agriculture & Forestry Resources

## Overview

Despite increasing development of homes, Kennebunk has large swaths of undeveloped land, even near the downtown area. Some of this is due to ownership of large tracts by the U.S. Fish & Wildlife Service as part of the Rachel Carson Wildlife Refuge, Town ownership of parcels used for conservation and recreation, State Conservation ownership of large tracts in the southwestern parts of town, utility ROWs, management of multiple parcels by the Kennebunk Land Trust, and a circular parcel owned by the Federal government that is part of the Sanford Airport's approach system. Zoning regulations discourage development in rural and Shoreland districts, and the presence of wetlands and water bodies limits or prohibits development.

*(See FIG.AF1 Map of "Agricultural Resources" at end of chapter)*

## Farming in Kennebunk

Farming was a historic Maine necessity and in Kennebunk much of it was clustered in the Alewife Plains section of town, just to the west of today's Maine Turnpike. Some grazing of animals took place near today's beachfront, on lands that are now tidal flats. Small-scale farms were sprinkled throughout town, including some that were close to downtown.

Agricultural operations today are of a small-scale nature, with some still taking place in the historic Alewife-Plains area, including a slaughterhouse, a sheep farm and a cranberry grower. Hay production is a very common activity throughout town, which helps to preserve important wildlife grassland habitats as well as agrarian vistas visible from roadways. There is a turf farm and an alpaca farm in West Kennebunk. Small-scale equine facilities are located on Emmons Road, off Downing Road, and on Western Avenue near Parson's Beach. Two family-owned Christmas tree farms supply holiday trees and wreaths, and four plant nursery businesses grow perennials and annuals. Many families in town own chickens, and a few raise pigs for personal use. Although there are no pick-your-own farms in Kennebunk (there are several in surrounding towns), it is possible to harvest low bush blueberries at the 1600 acre Kennebunk Plains grasslands area off Webber Hill Road (Route 99), which is managed by the Maine Department of Inland Fisheries & Wildlife and the Nature Conservancy. Two community gardens – one at the Park Street School Apartments and one on Holland Road in West Kennebunk - are fully utilized every year, with the proceeds often shared with others. A popular Farmer's Market located on a Town-owned parcel in downtown Kennebunk is open Saturdays from May through November.



*The Park Street Apartments Community Garden*

In general, the biggest threat to traditional farming operations in Kennebunk is development pressure, as well as the retirement and passing on of older farmers. The number and intensity of these operations has been static for many years, and it is anticipated this trend will continue. In West Kennebunk, some parcels designated as being part of the growth area due to proximity to schools and the Maine Turnpike interchange are former farmland, and due to the current real estate market, it is anticipated that this district will see new subdivisions in the near future. Approval of past subdivision applications in the Alewife-Plains historic farming district was

predicated on houses being located well away from roadways to maintain the area’s agrarian and forested look and feel.

## Forestry in Kennebunk

During the town’s shipbuilding era, tall and straight pine trees were harvested in the western regions of town for use as masts; the trees were transported to shipyards by teams of oxen. Lumber mills were established along the Mousam River to process local trees for construction. Tree removal today is predominantly done to clear land for house construction, and to remove large pine trees, or trees such as spruce that have been decimated by invasive insects, deemed to be safety hazards to nearby buildings or roadways. Below is a summary of reported timber harvests for the Town of Kennebunk as compiled from Confidential Year End Landowner Reports to Maine Forest Service:

YEAR	Selection harvest, acres	Shelterwood harvest, acres	Clearcut harvest, acres	Total Harvest, acres	Change of land use, acres	Number of active Notifications
1992-1997	178	86	1	265	0	8
1998	98	0	0	98	0	4
1999	140	0	0	140	5	8
2000	30	0	0	30	0	7
2001	85	0	0	85	48	6
2003-2004	107	36	0	143	0	5
2005	30	0	0	30	54	4
2006	19	0	0	19	5	4
2007	145	0	0	145	0	5
2008	47	0	0	47	0	5
2009	50	0	0	50	0	3
2010	122	0	0	122	0	5
2011	9	0	0	9	0	5
2012	175	0	0	175	31	7
2013	10	0	0	10	0	4
2014	42	5	0	47	29	6
2015	25	0	0	25	0	6
2016	57	25	0	82	3	5
2017	30	36	0	66	56.5	8
2018	21.5	80	0	101.5	63	8
2019	104	0	0	104	21	7
2017	311	56	0	367	15	12
2018	388	0	0	388	0	14
2019	332	38	0	370	0	15
Total	2555.5	362	1	2918.5	330.5	161
Average	106	15	0	122	14	7

## Town and State Support of Agriculture and Forestry

### **State Support**

Owners of farmland, open space parcels and working forests are eligible to take advantage of Maine's current-use property tax programs designed to provide tax benefits to owners by continuing the use of parcels for as long as possible into the future. This is designed to encourage owners to preserve traditional use of lands. The reported 2020 status of Kennebunk parcels enrolled with the State of Maine is:

#### ***Farmland***

- Number of parcels: 26
- Cropland Acres: 450.49
- Woodland Acres: 492.49
- Total acres: 942.98

#### ***Open Space***

- Number of parcels: 30
- Total Acres: 461.10

#### ***Tree Growth (Working Forests)***

- Number of parcels: 20
- Softwood Acres: 190.90
- Mixed Wood Acres: 298.76
- Hardwood Acres: 96.64
- Total acres: 586.30

For property owners interested in considering or enrolling for such tax benefits, application forms may be obtained via: <http://www.maine.gov/revenue/forms/property/appsformspubs.htm>

### **Town Support**

Town Zoning Ordinances allow agriculture and timber harvesting as permitted uses in most residential zones. Definitions from Article 2:

- **Agriculture**: "The cultivation of the soil, production of crops, and raising of livestock. Unless otherwise indicated, these activities may include: (1) animal husbandry, as defined in this Article, (2) the processing of goods only to the extent that value is added to items actually grown or raised on the premises or if it is carried out pursuant to a home food manufacturing license from the Maine Department of Agriculture; (3) as an accessory use to the principal use of the site for agriculture, the sale of: (a) produce and products actually grown, raised or processed on the premises, (b) fresh produce purchased off-site to supplement sales during the growing season, and agriculturally related products, provided that such produce and products do not occupy more than 25% of the space devoted to retail sales."
- **Agriculturally related products**: "Items produced under a home food manufacturing license from the Maine Department of Agriculture, such as jams and jellies, honey, cheese and dairy products, homemade baked goods, herbs and spices, ice cream, and maple syrup. The allowed retail sales may be in a farm stand or stands in which a total of no more than five hundred (500) square feet are occupied by the sales activity; and (4) aquaculture, as defined in this article."
- **Animal husbandry**: "The breeding and raising of livestock for commercial purposes."
- **Forest management**: "Timber cruising and other forest evaluation activities, management planning activities, insect and disease control, pruning and other stand improvement, regeneration of forest stands, and other similar associated activities, but not the construction of roads or timber harvesting."
- **Timber Harvesting**: "The cutting and removal of trees from their growing site, for the primary purpose of selling or processing forest products and the attendant operation of mobile or portable

chipping mills and of cutting and skidding machinery, including the creation and use of skid trails, skid roads, and haul roads. The cutting or removal of trees in the shoreland zone on a lot that has less than two (2) acres within the shoreland zone shall not be considered timber harvesting. Such cutting or removal of trees shall be regulated pursuant to Article 10, Section 10.3.D, Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting.”

**Agricultural, Timber Harvesting and Forestry Management Uses Permitted by District**

District	Agricultural Use Permitted	Timber Harvesting/Forest Management Permitted
Resource Protection (RP)	Special exception (excluding structures)	Yes
Branch Brook Aquifer Protection (BB)	Yes, with no animal husbandry; Zone B (recharge area) requires special exception	Yes
Rural Conservation (RC)	Yes	Yes
Rural Residential (RR)	Yes	Yes
Coastal Residential (CR)	Yes	Yes
Suburban Residential (SR)	Yes	Yes
Village Residential (VR)	Limited to field, row and specialty horticultural crops; more flexibility for parcels 5+ acres	Yes
West Kennebunk Village Residential (WKVR)	Yes	Yes
Downtown Business (DB)	No	No
Upper Square (US)	No	No
York Street Mixed Residential and Commercial Use (MRCU)	No	Forest management only
Lower Village Residential (LVB)	No	No
West Kennebunk Mixed Use (WKMU)	Yes	Forest management only
Suburban Commercial (SC)	No	Forest management only
Business Park (BP)	No	Forest management only
Industrial (I)	No	Forest management only

**Conservation of Forests and Farmland in Kennebunk**

According to the Town Assessor, as of April 2020, 24.7% of Kennebunk’s total acreage was held in categories historically used for “Public Lands” calculation – land held by the US Government (1.642.39 acres), the Town of Kennebunk (739.56 acres), the State of Maine (1642.39 acres), the KKW Water District (484.97 acres), RSU 21 (172.60 acres) and the Kennebunk Land Trust properties and easements (996.92 acres). Kennebunk Land Trust properties are open to the public for passive recreation (*see “Recreation” for a complete list and description of properties*).

Kennebunk’s zoning ordinances are designed to protect its natural resources, most specifically by the designation and regulation of areas such as the Resource Protection District, the Branch Brook Aquifer Protection District, the Rural Conservation District, the Shoreland Overlay District and the Historic Preservation Overlay District.

*(See FIG.AF2 “Conservation Lands” at end of chapter)*

## Goals, Policies and Strategies

### State Goal:

- To safeguard the State's agricultural and forest resources from development which threatens those resources.

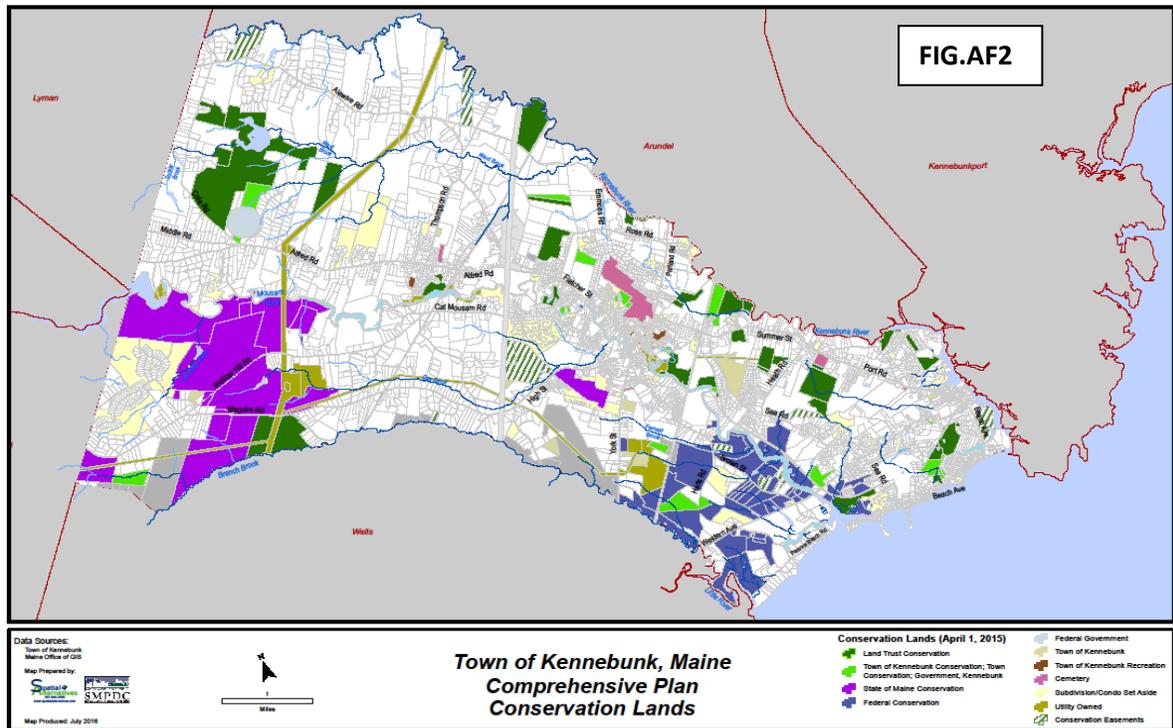
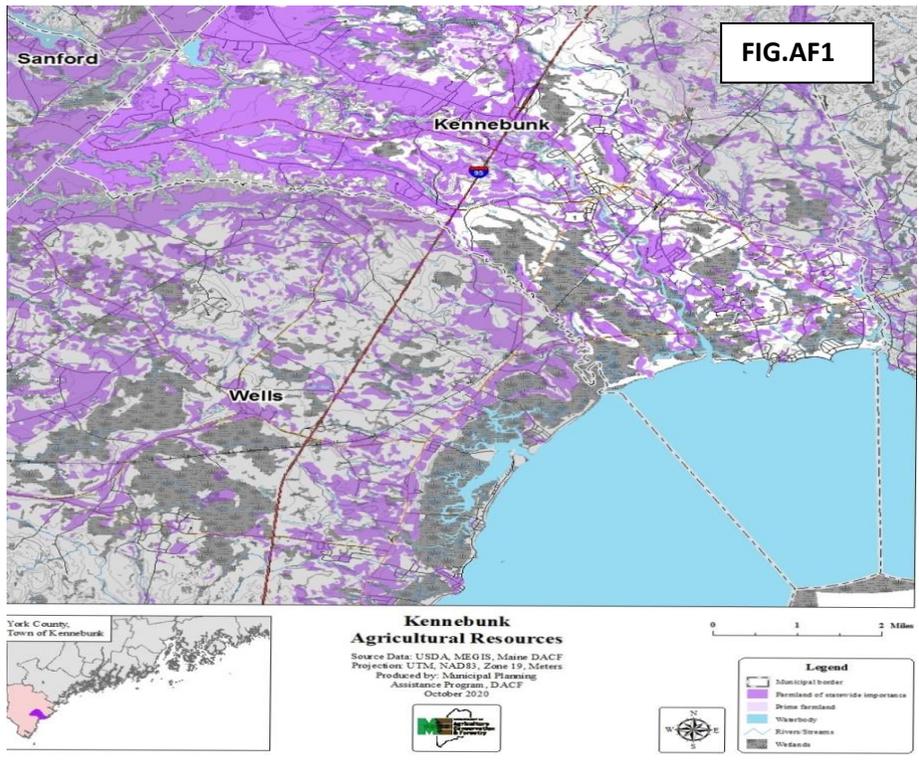
### Policies:

- To safeguard lands identified as prime farmland or capable of supporting commercial forestry;
- To support farming and forestry and encourage their economic viability.

### Strategies:

**Timeframes: Short term = 0-3 years; Medium term = 3-5 years; Long term = 5+ years**

Description	Timeframe	Responsible Parties
<i>Continue to limit non-residential development in critical rural areas to natural resource-based businesses and services, nature tourism/outdoor recreation businesses, farmers' markets, and home occupations</i>	<i>Ongoing</i>	<i>Planning Board, Site Plan Review Board</i>
<i>Continue to permit land use activities that support productive agriculture and forestry operations, such as roadside stands, greenhouses, firewood operations, sawmills, log buying yards, and pick-your-own operations</i>	<i>Ongoing</i>	<i>Permitted by Ordinance</i>
<i>Continue to include agriculture, commercial forestry operations, and land conservation that supports them in local or regional economic development plans</i>	<i>Ongoing</i>	<i>Economic Development Committee</i>
<i>Encourage owners of productive farm and forest land to enroll in the current use taxation programs via more detailed information communicated to Town residents</i>	<i>Short Term</i>	<i>Assessing Department</i>
<i>Consult with Soil and Water Conservation District staff when developing any land use regulations pertaining to agricultural management practices</i>	<i>Medium Term</i>	<i>Planning Board</i>
<i>Consider amending land use ordinances to require commercial or subdivision developments in critical rural areas, if applicable, maintain areas with prime farmland soils as open space to the greatest extent practicable</i>	<i>Medium Term</i>	<i>Planning Board</i>
<i>Consult with the Maine Forest Service district forester when developing any land use regulations pertaining to forest management practices as required by 12 M.R.S.A. §8869</i>	<i>Medium Term</i>	<i>Planning Board</i>



Larger scale figures can be found in Appendix C.