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County Executive

ANDREA VAN ARSDALE, Director  
Department of Planning

Baltimore County Agriculture Advisory Board  
Meeting Minutes  
(Minutes Approved 11/4/15)

**MEETING: September 9, 2015 Field Meeting 2:30 pm – 5:00 pm and Board Meeting – 6:30pm – 8:30 pm @ The Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030**

**FIELD MEETING INTRODUCTION:** The field meeting commenced at 2:45 pm.

**Motion: Russell Berk Second: John Merryman Decision: Unanimous Approval**

**BOARD MEMBERS PRESENT:** Gail Ensor, John Merryman, Russell Berk, Scott Welsh, David Martin

**MEMBERS ABSENT:** Ann Jones

**OTHERS PRESENT:** Wally Lippincott, Carmela Iacovelli, Carl & Sandra Nash (landowners at the field meeting), Fred Obrecht (landowner at the field meeting)

**RECESS: The meeting was recessed at 2:47 pm.**

**MEETING RECONVENED: The meeting was reconvened at 3:00 pm by Gail Ensor, Chair.**

**Nash, Carl & Sandra (03-94-01) – 16709 Cedar Grove Rd., Sparks, MD 86+/- acres**

**Request** – Board review of a new lot location for a child’s lot for their son Larry C. Nash.

**Discussion:** The Board and staff members visited this property during the field meeting and met with Mr. and Mrs. Nash on site. Staff (Wally Lippincott) presented the owners’ request for a child’s lot in the location as shown on the map (closer to the center of the property and partially in the woods and field). The Board members, Staff and the Nash’s also discussed the environmental issues with the previous locations that the Nash’s presented. The Board discussed the current farming operation, the proposed new location for the dwelling and access road with the Nash’s. Also discussed was the long entrance to the proposed lot and the impact of the lot and road on the farm operation. The Board discussed the possibility of a road coming directly off of Cedar Grove Road and not along the eastern property line and that the road should be a right of way so that the farm operation will still be able to continue on both sides of the lot. The Nash’s were amenable to this suggestion.

**RECESS: The meeting was recessed at 3:20 pm.**

**MEETING RECONVENED: The meeting was reconvened at 3:43 pm by Gail Ensor, Chair.**

**Obrecht, Fred – 1310 Bernoudy Road, White Hall, 8.066 acres**

**Request** – Zoning verification of a “legitimacy of a farm use” on the property to construct a barn.

**Discussion:** The Board and staff members visited this property during the field meeting and met with Mr. Obrecht on site. Wally Lippincott discussed the owner’s request to designate the property a “farm” in order to allow the construction of a barn/paddock area for horses in front of the dwelling and a fenced pasture area for cattle. This is an 8 acre property that is in mowed grass and is currently assessed as residential according to the Maryland SDAT.

The pastures will have to be fenced in and planted with pasture grasses to establish a farm operation and the owners are proposing to construct a barn. Mrs. Obrecht owns a horse that is boarded on another property that she would like to bring to the property along with a second horse and Mr. Obrecht would like to raise beef cattle (3 to 5). The Board/Staff members raised concerns regarding the lack of a current farm operation, steep slopes, potential drainage issues, and the availability of water in the proposed pasture/paddock areas. They also inquired whether Mr. Obrecht has contacted the Soil Conservation District to request a soil conservation/water quality plan. David Martin encouraged Mr. Obrecht to work with the District to prepare a plan and stated his concern that it may be a challenge to keep the slopes grass covered with horses on the steep slopes and that the District folks can provide a plan to minimize the possibility of erosion.

**RECESS: The meeting was recessed at 4:05 pm.**

**MEETING RECONVENED: The meeting was reconvened at 4:37 pm by Gail Ensor, Chair.**

**Kramer, Anne (BC#12-10) – 2000 Harris Mill Road, Parkton, 117.515+/- acres**

**Request** –Preliminary review for a child’s lot for her daughter, Shira Kramer.

**Discussion:** The Board and staff members visited this property during the field meeting. Staff (Wally Lippincott) presented the owner’s request for a child’s lot in the location as shown on the map. This is a Baltimore County easement that permits a child’s lot as long as the location does not interfere with the agricultural operation. The child must occupy the dwelling for one year. The Board reviewed the location provided by the landowner and had concerns regarding the proposed placement in the center of the property. The Board looked at several other options and will discuss them with the landowner at the evening meeting.

**RECESS: The meeting was recessed at 4:50 pm.**

# BOARD MEETING AT THE BALTIMORE COUNTY CENTER FOR MARYLAND AGRICULTURE

**BOARD MEMBERS PRESENT:** Gail Ensor, John Merryman, Russell Berk, Scott Welsh, Ann Jones

**MEMBERS ABSENT:** David Martin

**OTHERS PRESENT:** Wally Lippincott (Staff), Carmela Iacovelli (Staff), Carolyn Heggie, (landowner), Fred & Gail Obrecht (landowners), Anne Kramer (landowner) and daughter Shira Kramer and Tony Myers (Engineer for Mrs. Kramer), Mike Ruby of the Country Chronicle newspaper.

**INTRODUCTION:** The meeting was reconvened at 6:30 pm by Gail Ensor, Chair.

## **I. APPROVAL OF MINUTES/ADDITION OR DELETION OF AGENDA ITEMS:**

**A.** Approval of Minutes of: August 5, 2015.

**DISCUSSION:** Gail Ensor presented a correction to the minutes of August 5, 2015 to the list of “Others Present” – Juston Pray should be listed as Landowner’s Grandson-in-law on pages 1 & 2.

**Motion: To approve the minutes of August 5, 2015 as corrected.**

**Motion by: John Merryman**

**Second by: Russell Berk**

**Decision: Unanimous**

**B.** Addition or Deletion of Agenda Items.

## **II. MALPF EASEMENT LANDOWNER REQUESTS/ISSUES**

**A. Nash, Carl & Sandra (03-94-01) – 16709 Cedar Grove Rd., Sparks, MD 86+/- acres**

**Request** – Board review of a new lot location for a child’s lot for their son Larry C. Nash.

Mr. and Mrs. Nash would like the Board’s consideration and recommendation for a new location for the child’s lot. The new location is west of the original location and more central to the parcel. Soils in this area are Class II (GdB). Placing the proposed lot in this location will minimize environmental concerns on the property. The proposed access will be an in-fee access. Mr. Doak (the Nash’s engineer) indicated that the Nash’s may need additional acreage (up to two acres) to accommodate the dwelling, any outbuildings, septic, and access.

Mr. and Mrs. Nash initially received the Board’s recommendation for a child’s lot for the property on April 8, 2008 and a recommendation for subdivision of an up to two acre lot as a “General Exemption” for an agricultural subdivision at the August 5, 2015 meeting. Upon Departmental review of the area originally considered for the child’s lot, the Nash’s decided to relocate the child’s lot to another area of the property. This property went under easement in 1995 and there are no dwellings currently on the property.

**DISCUSSION:** The Board visited this property during the field visit and met with the Nash’s to review the re-located site of the proposed child’s lot. **See above discussion in Field Minutes.**

**Motion: The Board recommends approval of a child’s lot for Carl & Sandra Nash for their son Larry Nash in the area indicated on the aerial map with a change in the driveway as was discussed at the field meeting.**

**Motion by: John Merryman**

**Second by: Scott Welsh**

**Decision: Unanimous Approval**

**B. Reade, Eleanor (#03-94-12) – ES Old York Road (M29, p181) 1.110 +/- acres**

**Request** – Land swap for donation of 1.110 acre lot to MALPF easement

**DISCUSSION:** Wally Lippincott gave an overview of the request for a land swap. A land swap is needed to put some additional land under easement so that acreage for the access road to the Reades' residence (a parcel that is not in easement) can be excluded. The former access was through the adjoining property which has now been sold and can no longer be used by the Reades. The land brought into the easement must have equal value of soils as the land that goes out of the easement.

**Motion: The Board recommends approval of a land swap of up to 1 acre for the Reade property on Old York Road.**

**Motion by: John Merryman**

**Second by: Russell Berk**

**Decision: Unanimous Approval**

**III. BALTIMORE COUNTY EASEMENT/LANDOWNER REQUESTS/ ISSUES**

**A. Kramer, Anne (BC#12-10) – 2000 Harris Mill Road, Parkton, 117.515 +/- acres**

**Request** – Preliminary review for a child's lot for her daughter, Shira Kramer.

**Background**

Mrs. Kramer would like the Board's consideration and recommendation for a one acre child's lot in the location shown on the aerial map. The location is in the vicinity of the other structures and central to the property. Soils in this area are Class II (GdB). The proposed access will be along an extension of the current access road into the property. This request has not yet been reviewed by the Baltimore County Department of Planning or the Environmental Impact Review section of EPS.

**DISCUSSION:** The Board visited this property during the field visit and reviewed the proposed site of the child's lot that Mrs. Kramer provided. Their concerns are that the central location of the proposed lot may cause issues on the farm if the lot is sold out of the property in the future. The Board provided the Kramer's with several alternative locations along Harris Mill Road to consider that would not interfere with the farming operation. After discussing the options with the Board the Kramer's decided to postpone the request and give the options further review.

**Motion: The Board recommends tabling the request to allow more time for the Kramer family to review the options and revisit the location for the child's lot.**

**Motion by: Scott Welsh**

**Second by: Russell Berk**

**Decision: Unanimous Approval**

**IV. BALTIMORE COUNTY ZONING ISSUES**

**A. Heggie, Carolyn – 3300 Whitesworth Rd., Phoenix, 18.35 +/- acres**

**Request** – Amendment to the tenant dwelling request of August 5, 2015, request for consideration of a new location.

**Background**

Mrs. Heggie received the Board's recommendation for a tenant house for the property at the August 5, 2015 meeting. Upon further review of the area originally considered for the tenant dwelling, she decided to relocate the tenant dwelling to the RC5 area of the property. She would like the Board's consideration and recommendation for a new location for the tenant dwelling. The new location is in the NE upper corner of the lot. Soils in this area are Class III

(GdC and ChC). Placing the tenant dwelling in this location will minimize environmental concerns and simplifies obtaining a building permit. This property is assessed as agricultural, is zoned RC5 and RC6, and underwent a subdivision in 1987.

**DISCUSSION:** Gail Ensor presented the landowner's request for an amendment to relocate the tenant house on the property. The Board members discussed the new location with Mrs. Heggie. The proposed dwelling site will be relocated to the RC5 portion of the property close to the horse pasture/farmstead area and use the existing access road.

**Motion: The Board recommends approval of the alternate location for a tenant house for the Heggie property as shown as area #3 on the aerial map.**

**Motion by: John Merryman**

**Second by: Russell Berk**

**Decision: Unanimous Approval**

## **B. Obrecht, Fred – 1310 Bernoudy Road, White Hall, 8.066 acres**

**Request** – Zoning verification of a “legitimacy of a farm use” on the property to construct a barn.

### **Background**

Mr. Obrecht is requesting the Board's consideration and recommendation of a Legitimacy of a Farm Use/Reduced Acreage Farm designation for his property in order to construct a barn and pasture for horses (2) and cattle (3).

The barn will be approximately 800 SF and will be used as a stable and for storage of hay. The property is in a RC4 zone and is assessed as a residential property according to the Maryland SDAT.

**DISCUSSION:** The Board visited this property during the field visit and reviewed the proposed site of the barn/paddocks and cattle pasture. **See above discussion in Field Minutes.**

**Motion: The Board verifies a prospective farm use on the property located at 1310 Bernoudy Road and recommends approval of a barn contingent upon the landowners providing copies of contracts for fencing, the barn proposal, and current leases for boarding the horses to Staff at the Department of Planning.**

**Motion by: John Merryman**

**Second by: Scott Welsh**

**Decision: Unanimous Approval**

## **V. PROGRAM POLICY**

**A.** Review and discussion of the MALPF ranking guidelines and Land Evaluation Site Assessment (LESA) and proposed changes for the FY 16 Baltimore County Ranking Criteria for the (LESA) and the LESA Evaluation Ranking Sheet.

**DISCUSSION:** The Board members reviewed and discussed the State's land evaluation site assessment (LESA) ranking guidelines/criteria. The State used these for the previous round of applications to the MALPF program (FY '15/'16). Wally Lippincott discussed proposed changes that may be made for Baltimore County's ranking protocols in light of the 75% of Fair Market Value cap that the State imposed on easement values for the FY '15/'16 round of applicants. Any changes made to the County's ranking will have to be reviewed and approved by the State before they can be used for the upcoming application round in the Spring of 2016. Some suggestions for adjustments are:

- to identify areas that are considered agricultural centers and give more points for agricultural operations that are close to agricultural centers
- consider giving more weight to soil productivity
- give an incentive for discounted easement bid prices

Discussion focused on how to encourage landowners to discount their bid prices as well as how to get the best farms for the program with the funding that we have.

## **VI. OLD BUSINESS –**

### **A. Discussion of prospective Board members.**

**DISCUSSION:** John Merryman asked the Board Chair to discuss any progress in getting a new member for the Advisory Board since there is one vacancy. Gail Ensor discussed this with the other Board members. She suggested that the next Board member should be someone who represents the horse industry and that has sold an easement on their property. She will report back when she has more information.

## **VII. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES**

### **A. Update for the MALPF FY 13/14 properties that have not yet settled.**

**DISCUSSION:** Anne Kern property settled with MALPF on the easement. The remaining three FY '13/'14 properties easement settlements are pending.

### **B. MALPF inspections for FY '15 have been completed. Baltimore County inspections and MALPF inspections for FY'16 are underway.**

## **VIII. MISCELLANEOUS/ INFORMATION/ CORRESPONDENCE/ NEWS ARTICLES**

### **A. Fall Newsletter**

### **B. Family Farm Day (September 20, 2015)**

## **IX. FUTURE MEETING DATES**

**The next scheduled meeting date is October 14, 2015.**

## **X. ADJOURNMENT**

**Motion: To Adjourn the meeting**

**Motion by: John Merryman**

**Second by: Russell Berk**

**Decision: Unanimous Approval**