

Background: Mr. Ned Halle on behalf of Mr. Schuster submitted a request for approval of a horse breeding and training facility outside the “Permitted Building Area” (PBA). Mr. Halle was advised by MALPF that his representation of Mr. Schuster was a conflict of interest. Mr. Ed Gilliss is now representing Mr. Schuster. We have been advised by MALPF that they would like the County’s Advisory Board’s recommendation.

The Rural Legacy Easement (Liber 14756 Folio 579) restricts buildings to be within the PBA with the exception of “small accessory structures, including but not limited to run-in sheds” (Page 581). Under the same section the easement does permit an exception to this requirement for “...reasons which the Grantees determine in their sole discretion are sufficient to justify an exception to this prohibition” (page 582).

On February 23, 2016 staff received a revised scaled plan indicating the location of the PBA indicated in Exhibit F of the DOE and a written justification from the contract purchaser. Discussion had taken place at the February 10, 2016 Board meeting about the reason for this request.

Staff received a copy of the recommendation of the Land Preservation trust. If recommended by the Advisory Board, the request will be submitted to MALPF for consideration.

DISCUSSION: Wally Lippincott (Staff) gave a brief background on the Lydistone property, the Rural Legacy easement, and the discussion that took place at the previous Board meeting. Wally indicated that the request of the Contract Purchaser would be for private use only and there were no issues with MALPF; the agricultural structures would be limited to the building envelope. Staff and Board members then reviewed the list of conservation values as Mr. Gilliss read them aloud. The Board felt that all of the conservation value’s had been met. Staff and Board members also reviewed the letter of no opposition submitted by the LPT. Contract purchaser, Daniel Schuster, questioned the relationship between MALPF and Rural Legacy and their authority over the property. Wally Lippincott gave a background on the property and the roles that Rural Legacy, LPT, and MALPF play. There was no further discussion.

Prior to the motion, Wally Lippincott gave the following General Statement: Not all easements have Building Area Envelopes like this one. Federal easements require an envelope but MALPF and Baltimore County Agricultural easements do not. We were advised by the Land Preservation Trust that not all of their Rural Legacy easements have Building Area Envelopes and that they did not contemplate the need for additional infrastructure such as for an equestrian farm operation. Mr. Daniel Schuster, contract purchaser, submitted a letter on February 23, 2016 indicating his request is for a possible future “private” equine use but in the interim the farm will continue to be leased for grain production.

Motion 1: The Board recommends approval of an exception to Section II. B. of the Deed of Conservation Easement recorded October 10, 2000 (Liber 14756 Folio 579) that the following Agricultural buildings can be constructed outside the “Permitted Building Area”: 150’ x 220’ Indoor Ring and 10,000 sq. ft. Horse Barn with turnouts as shown on Drawing 1.02 submitted by Daniel and Jean Schuster, and as recommended by the Land Preservation Trust.

Motion by: Russell Berk

Second by: Scott Welsh

Decision: Unanimous Approval

Motion 2: The Board recommends approval of an amendment to Article IV. F. of the Deed of Conservation Easement recorded October 10, 2000 (Liber 14756 Folio 579) to adjust the Permitted Building Area to include the proposed Agricultural Structures including the 150’ x 200’ Indoor Ring and 10,000 sq. ft. Horse Barn with turnouts as indicated on Drawing 1.02 marked with a Post-it indicated as “Proposal”, and as recommended by the Land Preservation Trust.

Motion by: Russell Berk
Decision: Unanimous Approval

Second by: Scott Welsh

III. BALTIMORE COUNTY EASEMENT/LANDOWNER REQUESTS/ ISSUES

None to discuss.

IV. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS

None to discuss.

V. PROGRAM POLICY

None to discuss.

VI. OLD BUSINESS – Updates: Discussion of prospective Board members.

None to discuss.

VII. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES

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

DISCUSSION: No Discussion

B. MALPF inspections for FY'16 are underway.

DISUCSSION: No Discussion

C. Notification for FY '17/'18 Applications

DISCUSSION: Staff discussed 2 farms that are up for consideration and the many expressions of interest by landowners to apply this round.

VIII. MISCELLANEOUS/ INFORMATION/ CORRESPONDENCE/ NEWS ARTICLES

None to discuss.

IX. FUTURE MEETING DATES

The next scheduled meeting date is April 13, 2016 @ 6:30 pm.

X. ADJOURNMENT

Motion: To Adjourn the meeting (@3:00 pm)

Motion by: Russell Berk

Second by: Scott Welsh

Decision: Unanimous Approval