



KEVIN KAMENETZ
County Executive

ANDREA VAN ARSDALE, Director
Department of Planning

Baltimore County Agriculture Advisory Board Meeting Minutes

MEETING: March 8, 2017 Field Meeting 3:00 pm – 5:30 pm and Board Meeting – 6:30pm – 8:00 pm @ The Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030

FIELD MEETING INTRODUCTION: The field meeting commenced at 3:00 pm.

Motion: Russell Berk

Second: John Merryman

Decision: Unanimous Approval

BOARD MEMBERS PRESENT: Gail Ensor, John Merryman, Russell Berk

MEMBERS ABSENT: Scott Welsh

OTHERS PRESENT: Wally Lippincott, Kaylee Justice, Joe Wiley, Richard Tracey (Landowner), Rick Bernstein (Landowner), Mr. Dobbs (Landowner) & Hilary (horse trainer), Mr. & Mrs. Whitaker, Mr. & Mrs. McGinnis

RECESS: The meeting was recessed at 3:08 pm.

MEETING RECONVENED: The meeting was reconvened at 3:35 pm.

A. Hilse, Vernon (04-06) – 2213 Traceys Store Road, Parkton 64.921 +/- acres

Request- Board review of requested support for a release of .8 acres.

DISCUSSION: The Board and staff members drove by the site to view the location of the .8 acre release from the property. The Board asked staff the purpose of the release, which staff indicated was to be an extension of the neighboring lot (son of landowner) for access and maintenance only; there were no proposed improvements at this time.

RECESS: The meeting was recessed at 3:40 pm.

MEETING RECONVENED: The meeting was reconvened at 3:55 pm.

B. Greenland Farm II, LLC & Iceland Farm, LLC (03-13-01) – Flintstone Road, Freeland 82.597 +/- acres

Request- Board review of agricultural subdivision request.

DISCUSSION: The Board and staff members visited this property during the field meeting to view the location of the Agricultural Subdivision Request. Landowners, Mr. Tracey and Mr. Bernstein, met the Board on-site. Mr. Tracey gave a brief background on the property and indicated that both farms went into the easement together but have always had differing farm functions. Mr. Tracey continued to explain that the farms would continue to be in agricultural production if the subdivision were to occur. The owners agreed that the unrestricted dwelling right will be non-subdividable and will be attached to the 24.1 acre parcel on the eastside of Flintstone Road (Iceland Farm).

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

MEETING RECONVENED: The meeting was reconvened at 3:55 pm.

C. Whitaker, Conchita & Thomas – 21000 Slab Bridge Road, Freeland 82 +/- acres

Request- Board review and recommendation of a tenant house.

DISCUSSION: The Board and staff members visited this property during the field meeting to view the location of the proposed tenant house on the property. Mrs. Whitaker and her husband met the Board on-site and showed the Board the location of the current dwelling on the property in which they had requested to be designated as a tenant house. Mrs. Whitaker explained the daily operation on the site and gave an overview of the current tenant responsibilities. Mrs. Whitaker indicated that the current tenant handles all maintenance and repair functions on the property as well as cares for all of the horses on-site.

RECESS: The field meeting was recessed at 4:20 pm.

MEETING RECONVENED: The meeting was reconvened at 4:29 pm.

D. Dobbs, Sean & Megan – 21535 Middletown Road, Freeland 40.26 +/- acres

Request- Board review and recommendation of a tenant house.

DISCUSSION: The Board and staff members visited this property during the field meeting to view the location of the proposed tenant house on the property. Mr. Dobbs indicated that the current dwelling on-site is in disrepair and he wishes to build a new dwelling in the same footprint of the existing dwelling to be utilized as a tenant house for his horse trainer/caretaker, Hilary. Mr. Dobbs continued to explain the daily operation of the farm and the responsibilities of Hilary. Hilary cares for and trains the horses as well as provides veterinary care for the horses when needed; due to these responsibilities, Hilary is also on-call after hours. Mr. Dobbs explained that Hilary currently lives an hour away from the property and that it is important she be near-by in the event of an emergency.

RECESS: The field meeting was recessed at 5:00 pm.

MEETING RECONVENED: The meeting was reconvened at 5:15 pm.

E. McGinnis, Harriet & Wayne (03-80-06A) – 19524 Graystone Road, White Hall 259.1525 & 220.43 +/- acres

Request- Board review of retroactive agricultural subdivision request.

DISCUSSION: The Board and staff members visited this property during the field meeting to view the location of the agricultural subdivision request (retroactive). Mr. Wayne McGinnis and his wife, Harriet, met the Board on-site. Wayne gave a detailed background and history of the property.

RECESS: The field meeting was recessed at 5:28 pm.

BOARD MEETING AT THE BALTIMORE COUNTY CENTER FOR MARYLAND AGRICULTURE

BOARD MEMBERS PRESENT: John Merryman, Gail Ensor, Russell Berk

MEMBERS ABSENT: Scott Welsh

OTHERS PRESENT: Wally Lippincott (Staff), Joe Wiley (Staff), Kaylee Justice (Staff), Ann Jones (Ex-officio), Wayne & Harriet McGinnis (Landowners), Bruce Doak (consultant), Mike Ruby (County Chronicle)

INTRODUCTION: The meeting was reconvened at 6:52 pm by Gail Ensor.

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

A. Approval of Minutes of: January 11, 2017.

Motion: To postpone approval the minutes of January 11, 2017.

Motion by: Russell Berk Second by: John Merryman

Decision: Unanimous Approval

B. Addition or Deletion of Agenda Items.

II. MALPF EASEMENT LANDOWNER REQUESTS/ISSUES

A. Greenland Farm II, LLC & Iceland Farm, LLC (03-13-01) – Flintstone Road, Freeland 82.597 +/- acres

Request- Board review of agricultural subdivision request.

Background: Owners of Greenland Farm II, LLC, Richard Tracey, and Iceland Farm, LLC, Richard Bernstein, are requesting board review and recommendation of an agricultural subdivision request for the 83 acre property. The request is to divide the property into 2 parcels, one being roughly 24 acres, and the other being 59 acres (see attached map). The line of division will follow Flintstone Road. The owners wish to subdivide the property due to different business focuses for each of the farms. Greenland farm is a small grain farm, while Iceland farm is focused on vegetable farming. The owners have also agree that the unrestricted dwelling right will be non-subdividable and will be attached to the 24.1 acre parcel on the eastside of Flintstone Road (Iceland Farm).

DISCUSSION: Gail Ensor (Chair) gave an overview of the request. See Field Meeting discussion.

Motion: The Board recommends approval of the requested Agricultural Subdivision with a non-subdividable dwelling right to be conveyed with the 24 acre parcel.

Motion by: John Merryman Second by: Russell Berk

Decision: Unanimous Approval

B. McGinnis, Harriet & Wayne (03-80-06A) – 19524 Graystone Road, White Hall 259.1525 +/- acres

Request – Board review of retroactive agricultural subdivision request.

Background: These properties were put under easement in 1984, 19524 Graystone Rd and 19842 Ensor Rd were submitted under different Districts. Former Wally recommended to Wayne that combining the two districts into one easement application to help increase the potential for a round 1 Easement offer. Baltimore County usually received only round 1 offers at this time. The farm will still be worked as one farm, but is being subdivided for Estate planning purposes. Both Properties will be owned and worked by the McGinnis Family.

DISCUSSION: Wally Lippincott (Staff) gave an overview of the request and Mr. Wayne McGinnis gave a detailed background on the history of the property. The landowners shared their concerns with the Board and staff regarding the requirements of the State to proceed with the request, including a survey. Staff indicated that the need for a survey would be dependent on the plotting of the deed which will be processed by MALPF.

Motion: The Board recommends retroactive approval of an agricultural subdivision for MALPF Easement #03-80-06A.

Motion by: John Merryman Second by: Russel Berk

Decision: Unanimous Approval

III. BALTIMORE COUNTY EASEMENT/LANDOWNER REQUESTS/ ISSUES

A. Hilse, Vernon (04-06) – 2213 Traceys Store Road, Parkton 64.921 +/- acres

Request – Board review of requested support for a release of .08 acres.

Background: The Hilse family is requesting the Boards review of support for a release of .08 acres on the property located at 2213 Traceys Store Road, in Parkton. The owner of the 64 acre farm, Vernon Hilse, agrees to convey the .08 portion of his property under Agricultural easement to his son, Jeff Hilse. The .08 acre parcel lies to the south of the 1.4 acre lot that Jeff Hilse owns and resides on. Mr. Jeff Hilse feels that the .08 parcel in which he wishes to be conveyed unto him will provide a buffer area from the farming operation to his residence. If approved, Jeff Hilse would be willing to forfeit his right to a child's lot on the farm. (See attached map).

See attached Deed of Easement for Subdivision, Construction and Improvements restrictions for the subject property.

Examples of previously approved similar requests:

1. Elligson, John, Jr. - Request: Landowner requests to subdivide as a lot line adjustment to follow a stream line between 2 properties.

Board Recommendation (3/11/2015): The Board recommends approval.

2. Zodiates & Wilson- Request: Landowner request of a lot line/boundary line adjustment to give a greater setback.

Board Recommendation (5/9/2009): The Board recommends approval.

3. Merryman, Edwin & Ann- Request: Landowner request of a lot line/boundary line adjustment

Board Recommendation (1/13/2016): The Board recommends approval.

DISCUSSION: Wally Lippincott (Staff) gave an overview of the request and provided examples to the Board of requests for lot line/boundary line adjustments that have been before the Board on previous occasions. Wally continued to give an overview of the subdivision requirements listed in the Deed of Easement for the subject property, which was not permissive of this request. Wally indicated that the property does not have the density left for a main lot, but there is a right to a Child's Lot remaining on the property. Ann Jones (Ex-officio) and the Board continued to discuss possible options to allow the conveyance, such as a covenant or land exchange. Bruce Doak (Consultant) requested to table the discussion pending the exploration of alternative actions to achieve the request.

Motion: The Board recommends to table the discussion until further notice.

Motion by: John Merryman

Second by: Russel Berk

Decision: Unanimous Approval

IV. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS

A. Dobbs, Sean & Megan – 21535 Middletown Road, Freeland 40.26 +/- acres

Request- Board review and recommendation of a tenant house.

Background: Mr. Dobbs, owner of Highlander Contracting Company, is requesting the Boards review and recommendation of a tenant house. In 2014, Mr. Dobbs purchased the property located at 21535 Middletown road and has improved the property by the addition of a family dwelling, two 5 stall barns, water hydrants and electrical service, two miles of fencing, a ½ mile woodchip gallop track and a 180x80 outdoor training arena. He also plans to install a 200x100 Indoor training center with 14 stall shed rows attached and a four stall foaling barn for his 2018 breeding operations. Mr. Dobbs has an active farm plan on the property and is also a member of the National Steeplechase

Association (NSA). The operation currently employs a full-time private trainer, and two full-time professional grooms. There are currently 14 horses on the property and Mr. Dobbs would like to add a full-time staff member to assist with his operation. If approved, Mr. Dobbs would like to tear down an existing, vacant dwelling on the property in order to construct a tenant house in the same building footprint for housing for the full-time employee. (See attached map)

DISCUSSION: Gail Ensor (Chair) gave background of request. See Field Meeting Minutes

Motion: The Board recommends approval of a tenant house on the property located at 21535 Middletown Road.

Motion by: John Merryman **Second by: Russell Berk**

Decision: Unanimous Approval

B. Whitaker, Conchita & Thomas – 21000 Slab Bridge Road, Freeland 82 +/- acres

Request- Board review and recommendation of a tenant house.

Background: Mrs. Whitaker is requesting the Board review of a proposed tenant house for her property located on Slab Bridge Road in Freeland. The property consists of 30 acres of fenced pasture, two outdoor riding rings, a large barn with an indoor riding ring, and two other barns. There are approximately 30 horse stalls. There is an existing dwelling on the property that the owner would like to designate as a tenant house. If the dwelling is designated as a tenant house, the owners would like to construct a new dwelling on the property as their personal residence. The current tenant that is residing on the property and will continue to reside in the home is Jerry Burchinel. Mr. Burchinel has work in the horse industry for decades and care for the majority of the horses on the farm, as well as grounds maintenance for the property. (See attached map)

DISCUSSION: Gail Ensor (Chair) gave background of request. See Field Meeting Minutes

Motion: The Board recommends approval of a tenant house on the property located at 21000 Slab Bridge Road.

Motion by: John Merryman **Second by: Russell Berk**

Decision: Unanimous Approval

V. PROGRAM POLICY

A. MALPF- Uses Policy

DISCUSSION:

VI. OLD BUSINESS

A. LESA Update- Discounting

DISCUSSION: Wally (Staff) discussed the current LESA ranking and its language in regards to the water resources component. The Board agreed to continue to working on the language and bring back for review at a later time.

VII. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES- Board updates on the status of the following easement violations (For informational purposes only):

None to discuss.

VIII. MISCELLANEOUS/ INFORMATION/ CORRESPONDENCE/ NEWS ARTICLES

A. Updates of 2017 Legislative Bills

Background: Wally gave the Board an overview of current Legislative Bills.

DISCUSSION: None.

IX. FUTURE MEETING DATES

The next scheduled meeting date is June 14, 2017.

X. ADJOURNMENT

Motion: To Adjourn the Board meeting (@8:30 pm)

Motion by: John Merryman

Second by: Russell Berk

Decision: Unanimous Approval