



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, Director
Department of Planning

Baltimore County Agriculture Advisory Board
Meeting Minutes

MEETING: November 13, 2019 Field Meeting 2:45 pm- 4:45 pm and Board Meeting- 6:30 p.m. at the Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030.

FIELD MEETING INTRODUCTION: The filed meeting commenced at 2:45 pm

**Motion: Steve Myer
Approval**

Second: John Merryman

Decision: Unanimous

BOARD MEMBERS PRESENT: Gail Ensor, John Merryman, Steve Myer, Scott Welsh

MEMBERS ABSENT: Russell Berk

OTHERS PRESENT: Megan Benjamin, Joseph Wiley, Wally Lippincott (staff)

RECESS: The meeting was recessed at 2:40 pm.

MEETING RECONVENED: The meeting was reconvened at 2:55 pm.

A. Jonathan & Lisa Orens – 17609 Falls Road, 10.0025 +/- acres

Request- Review of farm use for legitimacy of agricultural use for proposed barn.

DISCUSSION: The Board and staff members visited the property and met with Lisa Orens, landowner and Denie Dulin. Orens & Dulin explained that a close friend of the Orens' bought the adjacent ~110 acre farm and together they plan to develop an organic farm operation. The exact details of which are in the process of being determined. They desire to build a barn in the location proposed in order to have a structure on site for equipment storage and whatever harvest processing or storage may be needed in the eventual operation. The path of access to the proposed barn would parallel Falls Road to cross the main access driveway to reach the adjacent farm. There is no water or electrical access on the adjacent farm and the landowner does not anticipate adding such utilities, thus they desire to locate the barn adjacent to the existing house on the Orens property.

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

MEETING RECONVENED: The meeting was reconvened at 3:30 pm.

B. Gehlsen/McMurdie (MALPF #03-13-09)- 17737 Backbone Road, 85.3296 +/- acres

Request- 1-Recommendation of approval of location of unrestricted lot, and 2- Recommendation of approval of subdivision for agricultural purposes.

DISCUSSION: The Board and staff members on a neighboring driveway to view the property and location of the proposed lot to be created.

RECESS: The meeting was recessed at 3:35 pm.

MEETING RECONVENED: The meeting was reconvened at 4:00 pm.

C. Millstone Farm, LLC/Longnecker Farm, LLC-13401 Longnecker Road-100.45 acres

Request- Review and recommendation of approval for Agricultural Subdivision.

DISCUSSION: The Board and staff members visited the property in the area of the proposed 10 acre parcel to be subdivided from the remainder of the farm. Staff and Board noted that the stream and floodplain in this area would be limiting for further develop as well as farming.

RECESS: The meeting was recessed at 4:10 pm.

MEETING RECONVENED: The meeting was reconvened at 4:30 pm.

D. Robert & Jean Hopkins (MET Easement)-2040 Geist Road, 29.5 acres

Request- Review of farm use for legitimacy of agricultural use.

DISCUSSION: The Board and staff members visited the property and viewed the area where the 2 agricultural structures are proposed. Some fill work has been done to prepare the site. It was noted that one of the proposed structures overlaps with the existing foundation of a former bank barn, so it would be a replacement structure rather than a new structure.

RECESS: The meeting was recessed at 4:45 pm.

BOARD MEETING AT THE BALTIMORE COUNTY CENTER FOR MARYLAND AGRICULTURE

Attendees:

Board Members Present: John Merryman, Steve Myer, Scott Welsh, Gail Ensor

Board Members Absent: Russell Berk

Staff: Pete Gutwald, Wally Lippincott, Joseph Wiley, Megan Benjamin

Others Present: Ann Jones (ex-officio); Ned Halle (Representative);

Karen McCurdie (landowner); Robert Hopkins, Bruce Doak, & Larry Link (landowner and consultants)

Gail Ensor called the meeting to order at 6:30 pm

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

A. Approval of Minutes of: July 10, 2019

Motion: To approve minutes of July 10, 2019 with no changes.

Motion by: Steve Myer **Second by:** Scott Welsh

Decision: Unanimous Approval

B. Approval of Minutes of: September 12, 2019

Motion: To approve minutes of September 12, 2019 with no changes.

Motion by: Steve Myer Second by: John Merryman

Decision: Unanimous Approval

C. Addition or Deletion of Agenda Items. Deletion of Robert Hamilton Request; Addition of item Jonathan and Lisa Orens Request – Legitimacy of Agricultural Use for proposed barn; Addition of update on Hulse property.

Motion by: John Merryman Second by: Steve Myer

Decision: Unanimous Approval

II. MALPF EASEMENT LANDOWNER REQUESTS/ISSUES

A. Gehlsen/McMurdie (MALPF #03-13-09)- 17737 Backbone Road, 85.3296 +/- acres.

Request- 1-Recommendation of approval of location of unrestricted lot, and 2- Recommendation of approval of subdivision for agricultural purposes.

Background: Mr. Gehlsen & Ms. McMurdie purchased the property in October and are now requesting approval for the one unrestricted lot exclusion. The landowners intend to separate the lot from the remainder of the farm and sell the lot. The landowners chose the location to minimize the impact to tillable acreage.

DISCUSSION: Gail Ensor and Wally Lippincott introduced the proposal and gave an overview of the request. The Board was satisfied with the proposed location and subdivision. Ms. McCurdie was present to answer questions.

Motion 1: Recommend approval of the unrestricted lot (not to exceed 2 acres) at the proposed location.

Motion by: John Merryman Second by: Steve Myer

Decision: Unanimous Approval

Motion 2: Recommend approval of the subdivision for agricultural purposes.

Motion by: John Merryman Second by: Steve Myer

Decision: Unanimous Approval

III. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICATIONS

A. Robert & Jean Hopkins (MET Easement)-2040 Geist Road, 29.5 acres

Request- Review of farm use for legitimacy of agricultural use.

Background- The farm is used for equine purposes and the landowners are intending to expand boarding operations on the property. The owner plans to build two structures: 1) a 50'x70' Building for farm equipment and tools, and 2) a 50'x75' Ag building addition for stable & hay storage.

DISCUSSION: Gail Ensor introduced the proposal. Landowner, Robert Hopkins was present along with his consultant, Bruce Doak and architect, Larry Link. Mr. Link provided drawings of the proposed structures. The bank barn will include 6 stalls, tack room, feed room, groom stall and storage on the lower level. The upper level will include hay storage, mower/harrow tine, and a wash area. The farm equipment building will house equipment, a repair shop, and wash area. A SWCP is in progress for the property. Wally pointed out that while the issue before the Ag Board is a request of finding a legitimacy of farm use which will be sent onto the Zoning office, the landowners must still obtain any other applicable permits such as plumbing, electrical, gas, etc.

Motion: Recommend approval for the legitimacy of a farm use on the property.

Motion by: John Merryman

Second by: Scott Welsh

Decision: Unanimous Approval

B. Millstone Farm, LLC/Longnecker Farm, LLC-13401 Longnecker Road-100.45 acres

Request- Review and recommendation of approval for Agricultural Subdivision.

Background- The request is being made to approve an agricultural subdivision for the property at 13401 Longnecker Road. The owner would like to subdivide the property to divide the approximately 10 acre parcel that includes less farmable area from the remainder of the 90 acre farm.

DISCUSSION: Gail Ensor introduced the proposal. The ~10 acre parcel includes a house, surrounding area that could be meadow or possibly pasture area, and a small wooded area. Ned Halle indicated that the intention was the sell the 10 acre parcel to keep the remaining 90 acres that includes best agricultural land intact.

Motion: Recommend approval as an Agricultural Subdivision.

Motion by: Steve Myer

Second by: Scott Welsh

Decision: Unanimous Approval

C. Jonathan & Lisa Orens-17609 Falls Road, 10.025 ac.

Request- Review of farm use for legitimacy of agricultural use

Background- Landowners, Jonathan & Lisa Orens, are requesting Board review and recommendation of approval for the legitimacy of a farm use on the subject property. The landowners are partnering with the neighboring farm to begin an organic farming operation.

DISCUSSION: Gail Ensor introduced the proposal and opened discussion of the Board. The property consists of 10 acres improved with a house and small horse barn. There is a fenced pasture area and hay is outside of the pasture area. Steve Meyer expressed concern that there was not a definitive or specific plan for the property to justify the need for the building. Wally Lippincott pointed out that there is precedent for requesting further information if the Board did not feel there was enough information to make a decision. Scot Welsh indicated that he thought the decision needed to be made based solely on the subject property and not dependent on what does or does not take place on the adjacent property. John Merryman pointed out that a building would need to be constructed and laid out differently depending on the ultimate plan. Wally

Lippincott suggested there is also precedent for having landowners work with the County Extension to determine the size of structure needed for a specific use. Scott Welsh pointed out that organic certification could take 2-3 years and if the purpose of the barn is to serve the adjacent property, there is not an immediate need. Scott would like more information that is focused solely on the subject property. Steve suggested tabling the decision until more details could be provided.

Motion: Recommend tabling the decision until further information on the agricultural plan are provided.

Motion by: Steve Myer

Second by: Scott Welsh

Decision: Unanimous Approval

IV. STATUS OF EASEMENT TRANSACTIONS/INSPECTIONS/UPDATES

A. Vernon & Katharyn Hilse (BC# 06-19) 2530 Mt. Carmel Road, 86.064 ac.

Update-Joe Wiley provided information on activity occurring on the property. Joe along with along with representatives of the County Department of Environmental Protection and Sustainability, Maryland Department of Environment, and other state agencies conducted a site visit on October 29, 2019. The visit was in response to EPS's discovery of suspected disturbance of a stream on the property. Dumping and channelization of the stream was found to have occurred over an approximately 20 foot section of the stream which is a tributary of Bush Cabin Run. MDE will be requiring that the area be restored. Staff will continue to be involved and the issue may come back to the Board as the process progresses. There are three potential violations of the County easement including: dumping, not conducting an agricultural practice, and not having a current SWCP. The issue may come back before the Ag Board if there is anything to review regarding mitigation of these damages to the property.

V. PROGRAM POLICY

A. FY21 LESA Ranking

Background- The Board has been providing input on the revisions to the LESA for FY21. Staff further refined the criteria based on Board discussions and tested the ranking on the last two years of applicants. There were changes to five areas:

F3) Stewardship/Conservation of Land, Water, and Natural Resources- points are increased from 3 to 5 for each option under "implementing plan"

F4) Farm Ownership and Operation-points decreased to 20 from 24 and the first two options were combined into one to give equal points to applicant that either lives and farms onsite or operates farm as part of a larger operation

P2) Strategic Location-decreased to 10 points from 12 points, removed "highly threatened farms adjacent to URDL, edge of Master Plan Agricultural Preservation Priority Area, other" and added "linking large blocks, multiple adjacent easement applications

D1a) Road frontage-changed measurements

D1b) Net Development Rights-increased points to 14 from 12, account for number of rights and subtract points for retained rights

DISCUSSION: Wally Lippincott and Megan Benjamin presented the results of the testing of revisions with the previous two years of applicants. Wally explained that the overall ranking comes from three components: 1-the Ag Board ranking which are the changes before the board and take into account farm ownership, operation, etc., 2- the in-house ranking which takes into account soils, ecological values, etc., and 3- optimization which aims

to determine the “best bang for the buck”. Megan discussed the testing and analysis of results. From Staff’s perspective, there were not major shifts, but it does appear that the changes made did result in the most desirable farms moving up in rank. The Board was satisfied with the changes in the criteria.

Motion: Recommend approval the updates to the FY21 LESA ranking criteria.

Motion by: Steve Myer

Second by: Scott Welsh

Decision: Unanimous Approval

VI. MISC.

A. Status of easement transactions/inspections/updates

- I. MALPF-FY19- Dipaula property settled in mid-October.
- II. The other FY19 properties are moving forward to closing.
- III. Nancy Forester, long time attorney at MALPF is retiring at the end of the month. She has been an incredible asset to MALPF and will be missed.

B. Review Potential New Ag Board Members

DISCUSSION: The Board has two vacancies to fill: Gail Ensor’s term in ending and Russell Berk has confirmed his desire to step down from his seat. There are four individuals who have confirmed interest and willingness to serve on the Board. The Board discussed the need and desire to have someone with horse farming experience on the Board as well as geographic diversity. Each candidate was determined to be qualified and each would be desirable members of the Board. The Board determined that they would rank the names in order of preference and send via the Department of Planning to the County Executive who will provide nominations to the County Council for approval. The Board’s suggested names and ranking are as follows: 1) Holly Merryman, 2) Brenda Strommer, 3) Mark Trayer, 4) Dr. Robert Hamilton.

V. FUTURE MEETING DATES

December 11th 3:00 pm.

VI. ADJOURNMENT 7:45 pm

Motion: Steve Myer

Second: Scott Welsh

Motion passed.