



JOHN A. OLSZEWSKI, JR.  
County Executive

C. PETE GUTWALD, Director  
Department of Planning

Baltimore County Agriculture Advisory Board  
Meeting Minutes

**MEETING: December 11, 2019 Field Meeting 1:00 pm- 3:00 pm and Board Meeting- 3:30 p.m. at the Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030.**

**Attendees:**

**Board Members Present:** John Merryman, Steve Myer, Scott Welsh

**Staff:** Wally Lippincott, Joseph Wiley, Megan Benjamin

**Others Present:** Ann Jones (ex-officio)

**John Merryman called the meeting to order at 3:35 pm**

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

**A. Approval of Minutes of:** November 11, 2019

**Motion:** To approve minutes of November 11, 2019 with no changes.

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

**Decision:** Unanimous Approval

**B. Addition or Deletion of Agenda Items.** Addition of two items:

- Grace & Lloyd Russell- 20123 Downes Road- 54.566 acres Request-Review of farm use for legitimacy of agricultural use
- Michael Williams & Drue Pearce (MET Easement)- 15415 Tanyard Rd- 22.7 acres. Request-Review of farm use for legitimacy of agricultural use

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

**Decision:** Unanimous Approval

**II. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS**

**A. Robert Hamilton (MET Easement)- 13734 Baldwin Mill Road- 46.46 acres**

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

**Background:** The property is an organic fruit farm. The owner plans to build a new barn (apx 100' x 50') to house farm equipment and provide a location to host educational classes.

**DISCUSSION:** Wally Lippincott (staff) introduced the proposal and gave an overview of the request. Dr. Hamilton was present during the field visit to explain their operation and the intended use of the proposed barn. The barn will house tractors and other farm equipment and supplies. It will also have classroom space for school groups and others they host for educational programs about organic farming, STEM programming, etc. 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. The Board was impressed with the farming operation and efforts to bring students to the farm.

**Motion:** Recommend approval for the legitimacy of a farm use on the property for the proposed construction of an approximately 100' x 50' barn.

**Motion by: Steve Myer                      Second by: Scott Welsh**  
**Decision: Unanimous Approval**

**B. Mark J. Daneker & Susan B. Daneker- 5024 Elder Road, 101.7 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 5024 Elder Road. The owners would like to divide the property for the agricultural purpose of creating two smaller farms for their children.

**DISCUSSION:** Wally Lippincott introduced the proposal which would divide the property into 2 separate parcels of apx. 25 and 76 acres for estate planning, that the owners plan to pass onto their children. There would be a house on each parcel. The owners are thinking that the 25 acres would support a horticultural operation for their daughter and the 76 acres could continue with the cattle operation with their son. Their son currently lives on the farm and helps with the cattle operation. Currently cattle pasture over the entire unwooded portion of the property. The 25 acre and 76 acre split would allow adequate land for agricultural operations on each. There was a 10 acre non-density transfer in 1994 for another daughter which does not impact this request. It was noted that they do have a Soil Conservation and Water Quality Plan. The land is not currently under conservation easement. There would be no additional development rights remaining after the proposed agricultural subdivision. Given the size and prominent location in Long Green Valley, the Board suggests that the owners investigate an easement over the entire property to confirm in perpetuity that there will be no further development of the property.

**Motion:** Recommend approval as an Agricultural Subdivision.

**Motion by: Steve Myer                      Second by: Scott Welsh**  
**Decision: Unanimous Approval**

**C. Grace Russell- 20123 Downes Road, 54.566 acres**

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

**Background-** The property is leased to Stever Troyer and this past year, farmed for corn, soy, and wheat. The owner plans to build a new barn (apx '18 x 22') to house her tractor and other farm equipment.

**DISCUSSION:** John Merryman introduced the proposal. Board expressed some doubts about the building being solely for agricultural purposes. Two existing farm buildings were noted on the site visit. Megan Benjamin (staff) mentioned that when she spoke with the owner, the owner conveyed that it was for her farm equipment and is needed since she is elderly and needs a location closer to the house especially during foul weather. The Board discussed that that if it was solely for farm equipment and not residential storage or parking, they could support the legitimacy of farm use for the proposed structure.

**Motion:** Recommend approval for the legitimacy of a farm use on the property for the proposed construction of an approximately 18' x 22' structure.

**Motion by:** Steve Myer

**Second by:** Scott Welsh

**Decision:** Unanimous Approval

**D. Michael Williams & Drue Pearce (MET Easement)- 15415 Tanyard Road, 22.7 acres**

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

**Background-** The landowners recently purchased the property and their daughter is expanding their horse business operation, formerly located in Southern Maryland. The owners plan to enclose the existing riding arena (apx. 150' x 90') and build a 50' x 60' shop for tractors and farm equipment.

**DISCUSSION:** John Merryman introduced the proposal. The owners appear to already be making efforts at improving the farm including fencing and facilities. Horses are on site and the business seems to be well established. The proposed improvements appear necessary for the farm.

**Motion:** Recommend approval for the legitimacy of a farm use on the property for the proposed enclosure of the existing riding arena (apx. 150' x 90') and construction of a 50'x60' shop for tractors and farm equipment.

**Motion by:** Steve Myer

**Second by:** Scott Welsh

**Decision:** Unanimous Approval

**IV. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES**

**A. Baltimore County Environmental Protection and Sustainability Enforcement Action**

MALPF File No. 03-83-07E. 158.6 acres. 2139 Gibson Road, White Hall 21161. David and Nancy Rose (former owner Charles & Grace Orwig). Timber clearing and stump removal was discovered to have been completed without a County permit. Wally Lippincott (staff) noted that it was the timber harvest along with the clearing of stumps which raised concerns from the Department of Environmental Sustainability (DEPS) about potential violation of forest conservation act. DEPS reviewed the situation and required filing of a Declaration of Intent from the owner to establish that harvest and clearing was not done for development purposes and that the property would not be developed for at least 5 years.

**B. MALPF Enforcement Action**

MALPF File No. 03-90-10AE. 31.666 acres. Sheperd Road, Monkton 21111. Thomas & Jennifer Moore. Placement of a Forest Conservation and Forest Buffer over a MALPF easement without approval of MALPF.

Wally Lippincott (staff) reported that the issue has not yet been resolved. The issue was found by MAPLF during an inspection. The MALPF easement property was put into a forest conservation/forest buffer for purposes of establishing a forest mitigation bank by the father of current owner (now deceased). Credits were sold for 9 acres before the County realized the conflict with the MALPF easement and halted the ability to sell credits. We will wait to see how MALPF wants to pursue the issue. It was discussed that if the County (DEPS) and MALPF agree, a workable solution may be for the removal of the forest buffer restrictions which would allow harvesting and thus not be in conflict with the MALPF easement.

## V. MISC.

- A. Joe Wiley (staff) reported that 2019 inspections have now been completed.
- B. Joe Wiley (staff) reported that we've been given permission to move forward with the Weinreich property baseline.
- C. Wally Lippincott (staff) reported that staff has been involved in meetings the state is convening to developed guidelines for an Easement Valuation System (EVS) which would be an alternative to the current appraisal system. The benefits of an EVS system are the saving of time and money as well as being able to clearly let a landowner know up front what can be offered for their particular property as opposed to going through the entire process before the appraisal number is obtained.
- D. Joe Wiley (staff) provided an overview of Comprehensive Zoning Mapping Process (CZMP) issues in Agricultural Priority Areas. We are roughly a quarter of the way through the yearlong CZMP process. All issues (public, planning board, and Council Council) issues have been received. Staff and public comment process (including public hearings) will happen in the first half of next year. The final decisions of County Council will be made in September of 2020. Joe provided highlights of the issues in the 3<sup>rd</sup> district that fall within Agricultural Priority Areas (APAs), including:

Issue

Number Address

3-001	704 Western Run Road
3-002	17434 Foreston Road
3-007	14313 Hanover Pike
3-009	Kirkwood Shop Road
3-011	5601 Patterson Road
3-017	15226 Hanover Pike
3-018	6811 Lewis Road
3-024	21616 York Rd
3-032	14719 Old Hanover Pike
3-039	632 Freeland Road
3-040	20398 Middletown Road
3-041	20450 Middletown Road
3-042	18627 Falls Road
3-051	East of Hanover Road, North of Frye Road
3-055	1157 Blue Mount Road
3-058	15637 York Road
3-059	14503 Green Road
3-060	East side of Hanover Pike, 600' South of Emory Road

- E. Discussion of Deadline for MALPF Easement applications.

Wally Lippincott (staff) reported that we may look to move up the deadline from May to April for MALPF applications for 2021. For 2020 we will open the application period in March. Staff hopes these changes will prompt people to get their applications in earlier in order to allow adequate time for processing the applications.

## VI. FUTURE MEETING DATES

January 8, 2020 regularly scheduled meeting

February 12, 2020 regularly scheduled meeting

## VII. ADJOURNMENT