

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
OPEN MEETING MINUTES
JULY 24, 2018**

Trustees Present:

Michael Calkins, Chair
William Allen, Vice-Chair
Jerome Klasmeier, representing Comptroller Peter Franchot
Susanne Brogan, representing Treasurer Nancy Kopp (via phone)
Deborah Herr Cornwell, representing Secretary Robert McCord, Maryland
Department of Planning
Taylor Huffman
Bernard L. Jones, Sr.
Tom Mason
Joe Wood
J. Bruce Yerkes

Trustees Absent:

Julie Oberg, representing Secretary Joseph Bartenfelder, Maryland Department
of Agriculture
Catherine Cosgrove
Ralph Robertson

Others Present:

Michelle Cable, Executive Director
Chana Turner, MALPF Administrator
Kim Hoxter, MALPF Monitoring, Enforcement and Database Coordinator
Tamekia Dent, MALPF Office Secretary
Justin Hayes, Assistant Attorney General, Department of Agriculture
Patrick Martyn, Assistant Attorney General, Department of General Services
Steve O'Connor, Cecil County Program Administrator
Billy Gorski, Anne Arundel County Planner
Jeanine Nutter, Prince George's County Program Administrator
Deborah Bowers, Carroll County Program Administrator
Lloyd Stanley Yeakel, Carroll County Landowner
Susan Yeakel, Carroll County Landowner

Others Present By Phone Conferencing:

Susanne Brogan, representing Treasurer Nancy Kopp
Amy Moredock, Kent County Program Administrator
Beth Groth, Charles County Planner
Tim Beadell, RES, representing Mr. Willard, Montgomery County Landowner

Mr. Calkins, Chair, called the meeting to order at 9:05 a.m. at the Maryland Department of Agriculture building, Annapolis, Maryland. The guests and then the Board and staff introduced themselves.

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Recommendation:

Staff recommends approval.

Ms. Cable introduced the item. Mr. Beadell was available to address the Board.

Motion #3: To approve the request to increase the area of the stream mitigation overlay easement to a total of 28.178 acres.

Motion: Allen Second: Klasmeier
Status: Approved

D. CHARLES COUNTY

1. File #08-81-01C Serenity Farm, Inc. ~222.755 acres
(Robinson)

Request – Charles County:

To approve the relinquishment of Robert D. Robinson's child lot that has been preliminarily released and merge the lot back into the easement property and ownership.

Recommendation:

Staff recommends approval, with the following actions to document:

1. Fee simple ownership of lot (Lot G on plat) be transferred to Serenity Farm Inc., and
2. Merge tax parcel of Lot G into the Serenity Farm Inc. tax parcel 27.

Ms. Cable introduced the item. Ms. Groth was available to address the Board.

Add any additional information here.

Motion #4: To approve the request to relinquish the child's lot for Robert D. Robinson's and merge back into the easement property.

Motion: Jones Second: Wood
Status: Approved

V. NEW AGRICULTURAL PRESERVATION EASEMENT PETITIONS:

A. SOMERSET COUNTY

1. 19-19-01 Dumsha, Gerard and Donna ~238.8 acres

Request is to approve the application withholding the commercial sand and gravel mining area of ~ 5.25 acres from the easement with 0 development rights associated with it. The area, and access to it, may either be a traditional withheld area or a designated non-subdivideable, permitted use envelope within the easement. In addition, approving the eligibility of the application based on the extraordinary productivity of the soils of the property (almost 100% qualifying soils) given that a portion of the property is located in water and sewer district.

Motion #5: To approve the request as as a non-subdivideable permitted uses envelope.

Motion: Wood Second: Jones
Status: Approved

B. WORCESTER COUNTY

1. 23-19-07 Shockley, Samuel and Brenda ~163.336 acres

Request is to approve the application withholding two separate areas. The first is 64.164 acres of a Wetland Reserve Enhancement Program easement from the easement with 0 development rights associated. The second area is 1.5 acres that is located across a public road from the rest of the application property with 0 development rights associated with it. It will have a declaration of restrictions on it.

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Motion #6: To approve the request as presented.

Motion: Jones Second: Mason
Status: Approved

C. FREDERICK COUNTY

1. 10-19-05 R&S Properties, LLC ~218.418 acres
Request is to approve the application withholding 1.862 acres from the easement with 1 development right associated. Withheld acreage is for the ability to create a residential lot surrounding existing dwelling (currently in process of subdivision at county level).

Motion #7: To approve the request as presented.

Motion: Jones Second: Mason
Status: Approved

VI. PROGRAM POLICY

A. Cecil County Recertification

Request:

To approve the Cecil County request for recertification for the period July 1, 2018 through June 30, 2021.

Ms. Cable and Ms. Herr Cornwell introduced the item. Mr. O'Connor was available for comments or questions.

Motion #8: To approve Cecil County's request for recertification for the period July 1, 2018 through June 30, 2021.

Motion: Jones Second: Wood
Status: Approved

B. Kent County Recertification

Request:

To approve the Kent County request for recertification for the period July 1, 2018 through June 30, 2021.

Ms. Turner and Ms. Herr Cornwell introduced the item. Ms. Moredock was available for comments or questions.

Motion #9: To approve Kent County's request for recertification for the period July 1, 2018 through June 30, 2021.

Motion: Wood Second: Jones
Status: Approved

C. Permitted Uses Policy – Review of Farm Market & Roadside Stand category

Request – MALPF Staff:

MALPF staff requests the Board to review the current criteria associated with item #11, "Farm Market & Roadside Stand" category of the Permitted Uses Policy, specifically the percentage amount of the products sold that must be grown on-site.

Ms. Cable introduced the item. She informed the Board while there have been no requests before the Board asking for exceptions for this use category, there are ones pending and others have expressed concern over the "majority" percentage requirement for this use category.

Mr. O'Connor shared with the Board input from the Cecil County Agricultural Preservation Advisory Board discussion and suggestions regarding this use category. The overall

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The following Board members were absent: Julie Oberg, representing Secretary Joseph Bartenfelder, Maryland Department of Agriculture, Cathy Cosgrove, and Ralph Robertson.

The following legal representatives were also present during the closed session meeting: Justin Hayes, Assistant Attorney General, Maryland Department of Agriculture and Patrick Martyn, Assistant Attorney General, Maryland Department of General Services.

TOPICS DISCUSSED:

- A. Approval of June 26, 2018 Closed Session Minutes
- B. Status Report of Pending Legal Issues
- C. FY 2019 Application Eligibility

Respectfully Submitted:

Michelle Cable, MALPF Executive Director