

# **Agricultural Preservation Advisory Board**

Regular Meeting Minutes

May 10, 2022

7:00 p.m.

Attendance: John Fendrick, Margaret Giblin, Nicholas Deluca, Michael Jamison

Staff: Mike Scheffel

Guests: Rob Baker, Deer Valley Farm, Jamey Pratt, MNCPPC

The meeting was called to order at 7:02 pm.

Guests were introduced to the Board.

1. Approval of April meeting minutes

Jamison made a motion to approve the April meeting minutes as edited by Giblin, Fendrick seconded, motion passed.

2. AEP Easement Program

- a. Board Policy – MARBIDCO SANG Eligibility

Scheffel reminded the Board of the discussion on this program during the April meeting. As was the will of the Board, Scheffel drafted a policy position and distributed to the Board for their review. Giblin provided edits to the document and an item for consideration. After review of the policy document, Fendrick motioned to accept the policy, Jamison seconded, motion passed.

3. Maryland Agricultural Land Preservation Foundation

- a. FY23 Applicant Discussion

Scheffel shared with the Board the potential applicants. As of the meeting, he believes there will be two applications submitted for the Boards review during the June meeting.

- b. Baker – request for farm market, on-site

Rob Baker from Deere Valley Farm introduced himself and described his family's operation. He is requesting approval of the location of an on-site farm market to sell the beef and pork from the animals he raises on the farm. Rob had previously sent in a map showing the proposed location for the building, ingress/egress,

parking, and septic area. After hearing Rob's request, Fendrick made motion to approve the building location, Jamison seconded, and the motion passed. Scheffel reminded Rob this approval means he can move forward with the building, but he must work with the Soil Conservation District to update the conservation plan and he must meet all other permit requirements for the building.

a. Inspections

Scheffel inspected the following farms: Rubin (5), Jim Evans, Bernard Mihm, Willard (Mt. Pleasant), 18201 Brooke Rd LLC.

One follow up item was from the Mihm property, during the inspection, Scheffel noted an accessory solar installation on the farm. After looking at the file folder, he could find no APAB approval, nor MALPF approval. Scheffel spoke with Mr. Mihm about this and showed him how to get this approved. Mr. Mihm sent in an email requesting retroactive approval and describing the details of the installation. After discussion, Jamison motioned to approve the solar installation, Giblin seconded and the motion passed, Fendrick abstained from the vote.

Scheffel will reach out to Mr. Mihm and ask if he is willing to plant 1/10 acre into production that is not currently in production agriculture.

4. RLP Easement Program

a. FY22 Grant Agreement

Scheffel received title reports and other due diligence documents for the easements and has drafted the RLP easements, TDR easements and deed of transfers.

b. Inspections

Scheffel inspected MDR Full Circle and MDR RCS and found no issues.

5. Legislative activities

a. Rustic Road Functional Master Plan Update – Jamey Pratt of M-NCPPC

Scheffel introduced Jamey and described what he was doing with the RRFMP update. Jamey talked about what has taken place and what the update was proposing to do. He is attending meetings of the ag groups of the County to hear from the farmers the challenges they face with the master plan and its implementation. There was much discussion about the rustic roads and how they impact farmers and non-farmers alike. Jamey was encouraged by the feed back

and asked for this group and others to write letters on the rustic roads impact on farming operations and suggestions for improving the master plan.

6. Other business

a. OLO meeting update re: TDRs/BLTs

On January 25, 2022, Hans Riemer sent a request to the OLO for a status report on TDRs and BLTs. Jeremy and Scheffel have met with staff from the OLO to begin the discussion on TDRs and BLTs. The Office of Agriculture's hope for this report is to encourage renewed efforts by the County to use TDRs and BLTs in existing and new ways. MNCPPC staff has indicated they believe only 500+/- TDRs remain attached to land in the sending area. Scheffel sent to MNCPPC staff properties totaling 8,094 acres and 1,206 TDRs that are still attached to the land. This number does not include properties that created some but not all TDRs. This will be a challenging discussion with OLO and MNCPPC staff.

Scheffel and Criss met again with OLO and MNCPPC staff to get a better understanding of the remaining TDR number as well as other context for the lack of use/demand for TDRs and BLTs.

b. Interagency Meeting – DPS/MNCPPC/OAG

Scheffel informed the Board of a monthly meeting he and Criss have with the other agencies because of SRA 21-01. The meetings have been fruitful and foster a better working relationship with the other agencies.

c. Crossvines ground break event on April 28, 2022

Scheffel describe the event to the Board. It will be a grape crush facility for local grape growers to take their grapes to get processes. Along with the crush facility, a new clubhouse for the golf course and a new restaurant are part of this economic development project.

Meeting adjourned at 9:00 pm.