

Agricultural Preservation Advisory Board

Regular Meeting Agenda

July 18, 2023

7:00 p.m.

Board: John Fendrick, Michael Jamison, Nick DeLuca, Chuck Gingrich

Staff: Mike Scheffel, Natalia Salazar

Guests: Andrew Keller, Melissa Schulte

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

1. Introduction of Guests
2. Approval of June meeting minutes

Jamison made a motion to accept the minutes, seconded, and the motion carried.

3. AEP/BLT Easement Program
 - a. Live Edge Winery – FAPF request

Melissa Schulte presented Ed Boyce and Sarah O'Herron's plan to open a tasting room and expand the vineyard on their 25201 Peach Tree Road, Clarksburg, MD 20871 property. The majority of the property will be used to grow the grapes used to make the wine. Because of this, Scheffel argued that there is a clear connection between the agricultural activity on the property and the proposed tasting room and the proposal therefore does not violate the condition of the AEP easement. Jamison agreed with Scheffel. Fendrick asked if there are neighbors nearby that could be bothered by any noise coming from tasting room activity. Schulte replied saying that in summer there is enough forest surrounding the proposed site of the tasting room activity and in winter the patrons will be inside the building, so they do not expect any noise complaints.

Fendrick made a motion to approve the request, seconded, and the motion carried.

- b. Burnt Hill Winery – agricultural access lane

Andrew Baker will be requesting moving the farm access lane to a location with more visibility to increase safety. Because Mr. Baker was not present at the meeting, no formal request was made before the board.

- c. Kiplinger Farm – Montevideo Road

Mr. Kiplinger will be constructing a FLHU. No action on behalf of the board was necessary.

4. Maryland Agricultural Land Preservation Foundation

- a. Luther/Keller – request for on-site farm market

Scheffel went over the proposed work, which does not involve adding any parking and will occur under guidance from the Montgomery Soil Conservation District. Mr. Keller added that the stand will be mostly run as a self-serve market.

Fendrick made a motion to accept the request, Jamison seconded, and the motion carried.

- b. FY23 Applicants – update

Nellie Hanagan’s application is moving along quickly. The Savages’ application encountered some challenges but is moving along as well.

- c. FY24 Applicants – update

Fendrick should be receiving a letter soon his application was approved.

5. RLP Easement Program

- a. FY23 Grant
- b. IWLA – lead reclamation project

The application was approved.

6. Legislative activities

- a. RRFMP update, Bill 30-23- Rustic Roads Advisory Committee (RRAC), public hearing 7/11/2023, T&E committee hearing 7/17/2023

The bill increases the RRAC membership to nine and states that three members must be farmers making at least 50% of their income from farming, one must be a member of the Agricultural Advisory Committee (AAC) who has been recommended to the County Executive by the AAC, and three will be at-large members, such as the operator of an agritourism business or a table-crop farmer who doesn’t earn at least 50% of their income from farming. Therefore, farmers could potentially make up the majority of the RRAC.

- b. OLO Report – Update on TDRs/BLTs – letter of intent

The OLO report recommended establishing a sunset date for TDRs to be created. However, some farmers that are renting land and wish to purchase it are counting on selling the TDRs to pay the mortgage. Therefore, OAG drafted a letter of intent that these farmers can fill out to show their interest in selling the TDRs

once they buy the property, with the intention that this will result in the creation of more TDR overlay zones on behalf of the Planning Department.

7. Other business

a. Jeremy's replacement

The application period ended on June 30 but because there were only two qualified applicants, it has been re-opened for three weeks.

b. Annual Farm Tour – July 22 and 23

This year's Farm Tour will feature 21 farms, which the OAG will be visiting throughout the weekend.

c. 2023 FAPF Report

The OAG recently submitted its second report on farm alcohol production (FAP) in the county to the County Council. This report shows that the FAP industry has grown considerably in the last few years and is now contributing significantly to the county's economy. The OAG expects an even greater contribution in the near future with the anticipated opening of more wineries and breweries.

d. August Meeting – scheduled for Montgomery County Fair Week, 8/15

The board agreed to decide later on whether or not to meet in August.

e. Easement valuation system

Scheffel stated that the price of farmland in the county has increased significantly in the last few years, with some properties under preservation being sold for as high as \$18,000 per acre. This is a widespread trend that shows no sign of stopping. Therefore, Scheffel's opinion is that the current valuation system used in the county for agricultural easements is undervaluing properties and should be revisited at some point in the near future.

The meeting was adjourned at 7:58 pm.