

Agricultural Preservation Advisory Board

Meeting Minutes

June 10, 2025

7:00 p.m.

The meeting was called to order at 7:03 pm.

1. Introductions

Board Members: Randy Stabler, Sarah Daken, Nick Magliato, Wade Butler, Tom Hoffmann.

Staff: Mike Weyand & Natalia SalazarLahera

Guests: Mikey Stotz, Dale Tibbitts (online), Jake Adler (online), Don Burrows, Caroline Taylor, Doug Lechliden, Kristina Bostick.

2. Approval of Minutes

Hoffman motioned to accept the minutes; Butler seconded, and the motion carried.

3. Board Requests

There were no board requests or notices.

4. AEP/BLT/TDR Easements

a. Application Review - Agricultural Easement Program (AEP)

The Agricultural Preservation Advisory Board enters a closed session to discuss the acquisition of agricultural easements. This involves confidential financial negotiations, and sharing details publicly could impact our ability to secure fair agreements. This session is in accordance with the Maryland Open Meetings Act.

The closed session began at 8:42 pm and ended at 9:22 pm. Hoffman introduced a motion to begin the closed session, and Magliato seconded the motion; the motion passed unanimously. Hoffman introduced a motion to approve the application, and Butler seconded the motion; the motion carried unanimously.

b. Building Lot Termination (BLT) Valuation Study

The BLT price used for the County's public BLT purchase program was last updated in 2014. The Office of Agriculture recently commissioned a BLT valuation study to determine the fair market value (FMV) of buildable lots in the Agricultural Reserve (AR) based on recent sales of comparable lots. The average land size of the 14 comparable properties used in the study was 28.28 acres, and the average price per acre was \$19,215, which corresponds to a typical building lot value of \$543,479, rounded to \$544,000.

Weyand asked the Board for their input on which values the County should use as the base value and maximum value of a BLT easement, and stated that the maximum value should be lower than the FMV. He provided three different scenarios for base and

maximum values and the number of BLT easements each scenario would allow the County to purchase, given the current funding available for BLT easement purchases in the Agricultural Land Preservation Fund.

Scenario 1

- \$544,000 = Fair Market Value
- \$435,200 = Maximum Value of a BLT Easement (80% FMV)
- \$380,800 = Base Value of a BLT Easement (70% FMV)
- \$54,400 = Added BLT Value
- Could fund 3 max-value BLTs or 4 base-value BLTs

Scenario 2

- \$544,000 = Fair Market Value
- \$408,000 = Maximum Value of a BLT Easement (75% FMV)
- \$353,600 = Base Value of a BLT Easement (65% FMV)
- \$54,400 = Added BLT Value
- Could fund 4 max-value BLTs or 4 base-value BLTs

Scenario 3

- \$544,000 = Fair Market Value
- \$408,200 = Maximum Value of a BLT Easement (75% FMV)
- \$326,400 = Base Value of a BLT Easement (60% FMV)
- \$81,800 = Added BLT Value
- Could fund 4 max-value BLTs or 5 base-value BLTs

Magliato introduced a motion to adopt Scenario 1, in which the maximum value of a BLT easement purchase is 80% of the FMV, or \$435,200. The base value is 70% of the FMV, or \$380,800. Sarah Daken seconded the motion, and the motion passed with a 4-1 vote in favor. The Board agreed there is more to discuss about the public BLT program and agreed to do so during a future meeting.

c. Policy Discussion - Community Solar on County Agricultural Preservation Easements

Weyand explained that the county code and easement terms do not allow community solar projects, only accessory solar projects with APAB board approval, on properties with County Agricultural Preservation easements. He asked the Board to formally express its opinion on this policy.

Mikey Stotz, owner of Bluffing Goat Farm, which is encumbered by a County Agricultural Preservation easement, expressed his opinion in favor of community solar. Mr. Stotz presented arguments for allowing certain bona fide agricultural operations to benefit from the income generated from community solar projects, especially if such projects do not reduce production. He added that with State Bill 0931/House Bill 1036, several acres in the AR zone will be eligible for community solar projects, and the County could make sure that at least some of these are projects that benefit agriculture.

Several board members voiced concerns about permitting solar projects on county agricultural preservation easements. They worried that these projects could reduce the amount of available farmland, which would contradict the goals of preservation efforts.

Overall, the Board supported the County's existing policy against allowing community-scale solar projects on agricultural preservation easements. However, they decided to table a motion for further discussion at a future meeting.

5. Maryland Agricultural Land Preservation Foundation (MALPF) Easements

a. Maryland Agricultural Land Preservation Foundation (MALPF) Funding Update

MALPF general allotment funding for FY25/26 will amount to \$675,000. The state has reduced overall funding for the MALPF program by approximately 51 million until 2029. As a result, MALPF will combine the FY27/28 funding cycles and will not accept new applications until July 2026.

b. FY25/FY26 Applicants

The Marchant Farm is the only MALPF easement for fiscal years 2025 and 2026. It is owned by the Jamison family and is located on Darnestown Road. The application is currently awaiting an offer letter from the MALPF program, which is expected to be issued this summer.

6. Rural Legacy Program (RLP) Easements

a. FY23 Applicants

No Update.

7. Easement Monitoring & Inspections

a. Inspection Report

8. Legislative activities

a. ZTA 25-05 Development Standards - Optional Method Public Benefits

Mike Weyand shared that this ZTA will allow greater flexibility in the Agricultural Land Preservation Fund for purchasing BLT and TDR easements. The County Council acknowledges the agricultural community's stance that additional measures will be needed to increase the funding and demand for TDR and BLT purchases.

9. Solar/Energy

Weyand shared that there is no update on the Chaberton Solar projects in the AR zone that are undergoing review. Natalia Salazar shared that the Mountain Vale community solar project, a 1.8 MW array proposed on 11 acres of a property on Barnesville Rd, will be discussed during the Planning Board's June 26 public hearing. Because this project is under 2 MW, it needs conditional use approval. Since it meets the standards for

community solar projects in the AR zone, the Office of Agriculture submitted a letter of support, as required for the property to be approved.

10. Other Business

a. Correspondence with Elected Officials

There were no board comments on this item.

b. Firearms Discharge: Urban Area Boundary Map

Chapter 57 of the Montgomery County Code prohibits the discharge of firearms within the area of the county designated as urban in [Section 57-1](#), with some exceptions. The boundaries of the urban area are decided by the County Council based on recommendations from the County Executive. The Executive relies on input from the Firearm Safety Committee, but would also like input from the board. The urban area map under the Firearms Discharge section on this page:

<https://www.montgomerycountymd.gov/pol/crime-data.html>

c. Upcoming Meetings and Events

- June 13 – MSCD Board of Supervisors Meeting
- June 17 – Agricultural Advisory Committee Meeting
- July 4 – Office Closed

The meeting went into closed session at 9:22 pm.