

## Montgomery County Agricultural Advisory Committee

### Minutes

February 15, 2011

#### Attendance:

David Weitzer, Chuck Schuster, Robert Beall, Tim McGrath, Jane Evans, Tom Linthicum, Eddie Kuhlman, Patrick Brown, David Heisler, Drew Stabler, Lois Stoner

#### Guests:

Linda Lewis, Council Member Craig Rice

#### Staff:

Katherine Holt, Jeremy Criss

Meeting came to order at 7:40 pm

Introductions: Everyone introduced themselves.

#### Minutes from the January 18, 2011 meeting:

Criss asked if there were any changes or corrections needed to the AAC minutes from January 18, 2011. Hearing none, Tim McGrath motioned to approve the minutes, Robert Beall seconded, and the minutes were approved as written.

#### Update on the FY 2011-2012 Budget for DED-Agricultural Services:

Criss said the Principle Administrative Aide Position that is assigned to UME is pending approval to be posted on the Office of Human Resources recruitment web site. The position will be advertised within the County Government.

#### Update on Farmland Preservation Programs:

Criss referenced the new farmland preservation brochure that was updated to reflect new changes to the State of Maryland MALPF program and the new Building Lot Termination Program. The agenda showed the DED staff and APAB recommendations for the FY 2011 BLT program. The appraisal study determined the average Fair Market Value (FMV) of a lot in the RDT zone-Agricultural Reserve to be \$375,000. The FY 2011 BLT Base Value is recommended at 60% of the FMV and the Maximum BLT value is recommended at 70% of FMV. Drew Stabler questioned why the brochure has listed the BLT maximum price of 85%. Criss explained that 85 % of FMV represents the maximum price the APAB would ever recommend and that the program will start out slow to test the market before we consider higher BLT prices. Criss explained that the County AEP program also started out slow in 1989 before the AEP base prices were

adjusted upward over time and since this approach worked well for the AEP, we are hoping this approach will also work well for the new BLT program. Lois Stoner said she is hearing the BLT receiving areas may be reduced from 12.5% FAR to only 5% FAR. Criss said that he will look into this matter because this outcome could negatively impact the private BLT. *Please note that the Planning Board is recommending changes to one of the BLT receiving zones Commercial Residential (CR) zone that may eliminate the BLT requirement.*

**Update on ZTA 10-15 Airstrips in Agricultural Zone:**

Council Member Craig Rice explained to everyone the events surrounding the proposed ZTA that he thought would be supported by the agricultural community. Craig said the ZTA was proposed due to an individual situation and pending special exception for an airstrip along Peach Tree Road. Katherine Holt explained the Agricultural Preservation Advisory Board (APAB) met last week and discussed their opposition to the ZTA with Ms. Carrie Laurencott who lives adjacent to the pending airstrip special exception. The APAB believes that airstrips represent a recreational opportunity in the RDT zone. Criss referenced the AAC letter that was submitted to the Council for the PHED work session. The AAC believes that airstrips represent a transportation use more than an agricultural use. The AAC is not aware of any special exceptions for airstrips in the agricultural zones and the AAC does not believe this represents a major issue for the agricultural reserve. The group reviewed the AAC letter which recommended to the Council that amendments offered by the community could be used to help the Board of Appeals review special exception cases for airstrips.

**Status of new Appointments to the AAC:**

The interview committee for new candidates met on January 19, 2011 and the committee was made up of George Lechluder, Wade Butler, Chuck Schuster, John Z and Jeremy. The recommendations from the committee were submitted to the County Executive staff to be considered for appointments by the County Executive and confirmation by the County Council.

**Annual Meeting between the AAC/APAB and the County Executive:**

The annual meeting with the County Executive was scheduled for February 10, 2011 and the following folks attended on behalf of the groups- David Weitzer and Criss for the AAC and Billy Willard and John Z for the APAB. The new format consisted of a Town Hall meeting and many of the speakers were concerned about the proposed County Executive budget which reduces and eliminates many of the Boards and Committees. David Weitzer and Billy Willard were planning on speaking during the meeting, but they decided not to say anything due to the climate and environment surrounding the budget reductions. David Weitzer said that he was encouraged by the comments stated from the Deputy General Counsel from Pepco-Jack E. Strausman, regarding trees and utility lines do not go together.

Craig Rice said that we need to identify ways that we can help Pepco with this tree trimming policy. Craig said it is important for the AAC to suggest to the County Council new policies to address tree trimming. Tom Linthicum suggested that we need to look at the subdivision regulations of the County-Chapter 50 of the Montgomery County Code where the Planning Board approves preliminary plans with tree planting that are sometimes located directly under the power lines and this makes no sense at all. It was also suggested that the State Roadside Tree Law SB 581 that was passed in 2009 needs to be evaluated to understand if it limits the extent to which trees can be trimmed.

### **Zoning Rewrite Process:**

There is a meeting scheduled on March 7, 2011 between MNCPPC staff and representatives from the agricultural community to review the December 14, 2010 draft of the Zoning Rewrite Process pertaining to the agricultural zones. Jane Evans said that she needs to review the draft report because she is concerned the details in the zoning regulations will be lost. A question was raised as to why we are doing this zoning rewrite process in this economic environment. Katherine said this process started some time ago and that the MNCPPC knows that some of the footnotes need to go back into the report. Jane Evans said that she is concerned about footnote 48 which pertains to properties encumbered by Transferable Development Rights. Jane said that we also need to be careful of how we change the RDT zone conditions and the intent of the master plan.

### **Update on the Closing of Poole's Store:**

Criss said the January 29, 2011 Open House and Public meeting on the Poole's Store was well attended and the MNCPPC did a good job of explaining the plan to find a new tenant. Calvin Day has agreed to lease the farm and home business through June 2011. The MNCPPC will be making several improvements to the store building and hopefully have it ready for lease this spring. Calvin Day has expressed interest in being the tenant for the Poole's store and the farm and Home business after June 2011.

### **Upcoming Meetings and Events:**

Criss reviewed the upcoming meetings and events. There was discussion surrounding several Bills in the 2011 session that may impact agriculture. Lois Stoner asked for the status of MC 8-11 which is the Leghold Trap Bill. It was suggested the Bill will be scheduled for the House Environment Matters Committee soon. Craig Rice wanted to know if the agricultural community supported SB 45 surrounding DNR regulating Sunday Deer hunting by regulation. The agricultural community and the County Government support SB 45.

Meeting Adjourned at 9:00 pm.  
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