

## **Agricultural Advisory Committee (AAC)**

### **Minutes of July 17, 2012**

**Attendance:** David Weitzer, Linda Lewis, Tim McGrath, Jane Evans, Drew Stabler, Eddie Kuhlman, Patrick Brown, Charlotte Ruppert, Paula Linthicum, David Heisler, Gary Marx

**Guests:** Bruce Goldensohn-CERB Chair, Royce Hanson, Jane Seigler-ZAP

**Staff:** Jeremy Criss, Callum Murray, Pam Dunn, Emily Tetlbebaum, Cathy Mathews

The meeting was called to order at 7:05 pm.

**Introductions:** Everyone introduced themselves.

#### **Approval of Minutes June 19, 2012:**

The Committee was asked if any changes or corrections were needed to the AAC minutes from June 19, 2012. David Weitzer suggested that the word bearing on page 3 should read bearing and that Eddie Kuhlman's first and last name should appear at the bottom of page 1. Hearing no additional changes Eddie Kuhlman motioned to approve the minutes as corrected, and Linda Lewis seconded the motion and it passed.

#### **Presentation by MNCPPC staff Pam Dunn on the Zoning Rewrite Process:**

Jane Seigler (Agricultural representative on the Zoning Advisory Panel-ZAP) thanked Pam Dunn and Emily Tettlebaum for attending the meeting to help the Committee better understand the status of the Zoning Rewrite Process. Jane explained how the Committee had identified some outstanding agricultural uses that MNCPPC needed to help us understand how they would be permitted and interpreted under the Zoning Rewrite Process. Pam Dunn handed out responses to the 10 outstanding agricultural issues that Jane Seigler sent to MNCPPC. Jane said the issue number 6 seemed to represent the primary concern of the Committee. Pam Dunn said the MNCPPC released a new Consolidated Draft of the Zoning Rewrite Process dated July 15, 2012 and it was presented to the ZAP. Pam Dunn said the Planning Board will start public hearings on this draft in September. The MNCPPC will accept written concerns on the draft and it may be better to provide our concerns to Jane Seigler, ZAP agricultural representative. Pam Dunn said the AAC Committee's concerns have been addressed in the consolidated draft report. The intent of permitting more types of farms is to allow more different types of agricultural products and activities. Pam Dunn explained the basis for the proposed Urban farming, Crop farming and Livestock farming. Linda Lewis asked if the MNCPPC was going to address the requirements for Nutrient Management plans on farms. There was an extensive discussion on this question and it was determined the Zoning Rewrite Process should not consider this requirement of the State of Maryland-MDA. Pam discussed how the Consolidated Draft recommends a restriction of the number of animals permitted in the residential zones. The Committee discussed how this

restriction represents in new standard that is not currently in the code. Pam Dunn explained how Urban Farming and Animal Husbandry would allow small farms that produce both agronomic crops and small animals. The Committee discussed the confusion and limited application of Animal Husbandry. Jane Seigler said she still trying to put all of the pieces together for the Zoning Rewrite Process as it relates to agricultural uses. Jane said more work is needed between the proposed terms of Livestock farming and Animal Husbandry. Eddie Kuhlman suggested that MNCPPC needs to clarify accessory uses to farming as not all agricultural products are grown on site. Paula Linthicum asked if the AAC will have the opportunity to review the Consolidated Draft because she agreed with Eddie Kuhlman that not all agricultural products grown are on site. Paula said she was concerned regarding the renaming of farming terms that are very narrow and specific. Paula Linthicum suggested that any new terms must be broad in scope. Bruce Goldensohn said that terms should be defined in general and he was concerned about the restrictions of products produced and products produced on site. Royce Hanson said that while the new code is will be easier to read and understand, there is a problem between the definition sections and the land use sections in the proposed code. The accessory uses need to address products produced on site and off site. Callum Murray said he is comfortable with part of the Zoning Rewrite Process but not all of it. Callum said the products of forestry need to be looked at to prevent furniture stores permitted in the Ag Reserve. Eddie Kuhlman said we need to make sure we fully capture the agricultural components of the farming because an incorrect interpretation can hurt the farmers. Pam Dunn said the MNCPPC has met with over 80 civic groups in public meetings and they have not received many objections. Animals are currently permitted by the set back requirements in the zones and there is an interest in permitting animals as part of the Zoning Rewrite Process. Paula Linthicum said these guidelines for agriculture uses will apply to the entire County and the needs in Germantown are very different from other areas of the County. After additional discussion Pam thanked the Committee for inviting the staff to update them on the project-we want to get it right and the MNCPPC supports the Committee's recommendation to rename the AC zone to the Agricultural Reserve-AR zone. Jane Seigler said that while everyone is permitted to provide individual recommendations to the MNCPPC staff on the project, she would be happy to coordinate our Committee's comments and submit them to the ZAP and MNCPPC staff. Criss said the Committee will need to discuss this once the Agricultural Fair is over.

**Discussion with Royce Hanson-Agricultural Reserve Conference-Farming at Metros' Edge-Sustaining Agriculture in Frederick and Montgomery Counties**

The Committee thanked Royce Hanson for attending the meeting to discuss the proposed conference to promote Agriculture in Frederick and Montgomery Counties. Royce Hanson said a group of folks have been meeting for some time to sponsor a Conference Farming at Metro's Edge-FAME. The group has been thinking about what would be useful for the future of the Agricultural Reserve and Agriculture in Montgomery and Frederick counties. The conference date has now been rescheduled from November 2012 to January 2013 to allow more time to include more folks and raise more funding for the Conference. Royce Hanson said he met with the Montgomery County Farm Bureau

earlier in the month and he is meeting with the Frederick County Farm Bureau tomorrow night. The Conference will try to develop information and ideas for people to use to ensure that agriculture is viable and profitable in both counties. There have been two subcommittees created-one for administrative issues and one for conference agenda and program issues. Royce Hanson reviewed the proposed program that would start off with common set of facts and trends for both of the counties presented by Jeremy Criss and Colby Ferguson and then move into three panels each discussing a different theme or component on agriculture-Panel 1 Economic Future of our Region's Agriculture-Panel 2 Keeping Agriculture Viable in a World of Growing Environmental Concern-Panel 3 Building Organizational Policies and Public support for farming and farm communities. Following the Panel discussions there will be Round Table discussions to develop a list of ideas that will be published in the written report for the conference. David Weitzer asked who should be the interested communities or participants. Royce Hanson said that all segments of the farm community should be involved including the folks that live in Agricultural Reserve that have a vested interest. Royce said that anyone with an interest in Health and food as well as segments of agricultural marketing should also attend. Royce said that farms occupy most of the land an activities in agriculture and that Down County residents need to help support and protect the Agricultural Reserve. Paula Linthicum said the National Farm Bureau Federation Convention will be held in January 2013 and she suggested that we should look at the date to avoid a conflict with the FAME conference.

#### **Follow up on Bill 16-12 Trees-Utility Vegetation Management-**

The Committee was informed of the Council's decision to not pursue the legislation or the second public hearing that was scheduled and then cancelled for July 10, 2012. It was suggested the June 29, 2012 storm may have changed the atmosphere in Rockville surrounding the need for trimming trees in close proximity to power lines.

#### **Discussion on Chapter 50 of the Montgomery County Code-Subdivisions:**

Royce Hanson said that he supports the recommendation of the AAC to create a new condition of approving a record plat of subdivision to prohibit future cases of private covenants being recorded on properties in the RDT zone that are encumbered by TDR easements. The AAC recommended a sub-committee to discuss the draft letter to the County Council that identifies the need for this new condition of approving record plats of subdivisions. Staff suggested that Eddie Kuhlman, Jane Evans, and Paula Linthicum need to review the draft letter and reply to all regarding any additional comments or suggestions for the letter.

#### **Farmland Preservation Update:**

The Committee learned that the DED made easement offers to the applicants that applied to the County Agricultural Easement program and the Building Lot Termination Program. These easement offers were as follows:

AEP-Offer made to 4 landowners covering 287 acres totaling \$2.0 million in GO Bonds  
BLT-Offer made to 5 landowners covering 466 acres acquiring 9 BLTs totaling  
\$2,491,875

**ZTA 12-03 Agricultural Zones-Wineries:**

The Committee learned the County Council approved ZTA 12-03 for Wineries in the Agricultural zones. The ZTA defines public shows and events and creates standards for enforcing them. The number of public shows has been increased from 6 to 9 annually.

**PHED Committee Worksession on July 30, 2012 Land use and economic trends in the Agricultural Reserve:**

The Committee learned that the PHED committee will be conducting a work session on July 30, 2012 to discuss land use and economic trends in the Agricultural Reserve. The DED and MNCPPC will provide staff reports to the Council staff to evaluate the status of the agriculture in the County since the Agricultural Reserve was created- 1981. Staff suggested that the Committee should monitor the Council PHED committee web site to access the staff reports.

The next meeting of the AAC is August 21, 2012@ 7:00 pm in Germantown.

The meeting was adjourned at 9:11 pm.

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