



## FREDERICK COUNTY GOVERNMENT

### DIVISION OF PLANNING & PERMITTING

Department of Planning

Jan H. Gardner  
County Executive

Steven C. Horn, Division Director  
Jim Gugel, Director

## Agricultural Preservation Advisory Board

Minutes of Monday, February 25<sup>th</sup>, 2019  
Approved March 25, 2019

**Members Present:** Richard Grossnickle, Chair; Samuel Tressler III, Vice Chair; Dick Bittner, Paul Spurrier, Eric Troxell

**Staff Present:** Anne Bradley, Program Administrator; Shannon O'Neil, Planner I

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The meeting was called to order by Chair Grossnickle at 7:00 p.m.

### I. Minutes

#### A. Open Session Minutes from January 28, 2019

Anne Bradley presented the minutes from the January 28, 2019 meeting for approval. Mr. Spurrier made a motion to approve the minutes. Mr. Troxell seconded the motion. The motion was approved unanimously.

**Vote:**      **Yea 5**      **Nay 0**      **Abstain 0**

#### B. Closed Session Minutes from January 28, 2019

Anne Bradley presented the closed session minutes from the January 28, 2019 meeting for approval. Mr. Spurrier made a motion to approve the minutes. Mr. Troxell seconded the motion. The motion was approved unanimously.

**Vote:**      **Yea 5**      **Nay 0**      **Abstain 0**

### II. IPP

#### A. Jenerations Family Farm (IPP#05-02) Use Request

Anne Bradley presented a request from Jenerations Family Farm, owner's of IPP easement #05-02, to hold temporary events on the property. Staff reviewed County regulations for commercial uses on IPP easements. Ted Jenkins, a representative of the owner's, reviewed their proposal for an annual outdoor organic food festival which would take place in a hay field and involve no permanent structures. The Board felt that this request is accessory and compatible with agriculture.

Mr. Bittner made a motion to allow the request for up to three events per year for a period of three years beginning in 2020. Mr. Spurrier seconded the motion. The motion was approved unanimously.

**Vote:**      **Yea 5**      **Nay 0**      **Abstain 0**

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**B. Frederick County Allowed Uses Discussion**

Anne Bradley led a discussion of uses allowed on farms under zoning in Frederick County. The Board discussed how some of these uses relate to agriculture and tasked staff with creating a proposed use table for the IPP program. The Board will continue this discussion at the next meeting.

**III. MALPF**

**A. Anthony (MALPF#10-81-09) Dwelling Release Request**

Anne Bradley presented a request from Barbara Anthony to establish a one acre non-subdividable building envelope within which a pre-existing dwelling and an existing mobile home will be located. The Board felt that this proposal is an acceptable means of correcting the violation regarding an unapproved dwelling.

Mr. Bittner made a motion to approve the request for a one acre non-subdividable building envelope. Mr. Troxell seconded the motion. The motion was approved unanimously.

**Vote: Yea 5 Nay 0 Abstain 0**

**B. Moser (MALPF File #10-22-01-12) Road ROW Request**

Shannon O'Neil presented a request for a right-of-way easement for road slope repairs on the Moser MALPF easement. The County Division of Public Works is seeking an easement on Poffenberger Road due to a slope failure from the May 15, 2018 storms.

Mr. Bittner made a motion to approve the request for a 0.3925 acre ROW on the Moser MALPF easement. Mr. Spurrier seconded the motion. The motion was approved unanimously.

**Vote: Yea 5 Nay 0 Abstain 0**

**C. Ruby (MALPF File #10-15-01-04) Road ROW Request**

Shannon O'Neil presented a request for a right-of-way easement for bridge repairs on the Ruby MALPF easement. The County Office of Transportation Engineering is requesting an easement for rehabilitation of a single span pony truss bridge on Hoovers Mill Road crossing Owens Creek.

Mr. Spurrier made a motion to approve the request for a 0.369 acre ROW on the Ruby MALPF easement. Mr. Troxell seconded the motion. The motion was approved unanimously.

**Vote: Yea 5 Nay 0 Abstain 0**

#### **IV. Critical Farms**

##### **A. Critical Farms Option Template Updates**

Anne Bradley reviewed a request from MALPF to update the County Critical Farms Option template. Suggested edits include the removal of references to the MALPF District program and the inclusion of language which makes it clear that the property is unencumbered at the time of appraisal.

#### **V. Program Status Reports**

##### **A. MALPF**

Staff reported that the FY2020 MALPF application deadline is April 1. Due to the timing of FY2019 MALPF offers, which will come out after the April 1 deadline, all of the FY19 approved applicants will need to apply in FY20 cycle.

##### **B. IPP**

Staff reported that all 21 FY19 IPP applications will be heard by the County Council at a public hearing on March 5.

##### **C. Critical Farms**

Staff reported that the next cycle will likely be Spring or early Summer of 2019, after paybacks for the FY19 MALPF cycle are received.

##### **D. MARBIDCO Next Generation**

Staff reported that the next deadline for this program will be in June.

##### **E. Rural Legacy**

Staff reported that the FY2020 grant was submitted in February.

##### **F. CREP**

Anne Bradley reported that new landowners call staff on a daily basis inquiring about this program.

Chair Grossnickle adjourned the meeting at 8:51 p.m.