



# FREDERICK COUNTY GOVERNMENT

## DIVISION OF PLANNING & PERMITTING

Jessica Fitzwater  
County Executive

Deborah A. Carpenter, AICP Division Director

### Agricultural Preservation Advisory Board

#### Open Session Meeting

Minutes of Monday, September 25, 2023

Winchester Hall - Second Floor, Winchester Room

**APPROVED 10/23/2023**

**Members Present:** Samuel Tressler, III, Chair; Dick Bittner, Vice Chair; Andrew Toms, , Sandy Tucker, County Council Member Steve McKay

**Staff Present:** Anne Bradley, Agricultural Preservation Program Administrator, Shannon O'Neil, Planner II; Beth Ahalt, Planner II

The meeting was called to order by Chair Tressler at 7:01 p.m.

#### I. Minutes

##### A. Open Session Minutes from July 24, 2023

Staff presented minutes from 07/24/2023 for review and approval. A motion to approve the minutes was made by Mr. Toms and seconded by Mr. Bittner.

The motion was approved 4-0-0-1.

Ag Board Members	Aye	Nay	Abstain	Absent
Samuel Tressler, Chair	X			
Dick Bittner, Vice Chair	X			
Andrew Toms	X			
Eric Troxell				X
Sandra Tucker	X			

#### II. IPP

##### A. Hines Trust Temporary ROW Request

Staff reviewed a request from Q Loop Communications to allow a temporary access agreement of approximately 1.6413 acres overtop the Hines Trust IPP easement to provide access during the construction of conduit on an adjacent property owned by Potomac Edison. The access area consists of Class II, III and IV soils and is currently used as a farm lane and cropland. The access agreement is approximately 15 feet wide. Staff Recommended approval.

A motion to approve the re-location request was made by Mr. Bittner and seconded by Ms. Tucker.



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Ag Board Members	Aye	Nay	Abstain	Absent
Samuel Tressler, Chair	X			
Dick Bittner, Vice Chair	X			
Andrew Toms	X			
Eric Troxell				X
Sandra Tucker	X			

### III. MALPF

#### A. Bauer/ Flemming Dwelling Relocation Request

Staff presented a request from the Bauer/ Flemming Family for a Dwelling Relocation on their MALPF easement. No lots or tenant houses have previously been requested. The dwelling that Mr. Bauer and Ms. Flemming are currently requesting to demo and relocate is currently abandoned and not liveable. The proposed location of the relocated dwelling is along Lookingbill Road, and in Class II soils. Staff recommended approval of the pre-existing dwelling relocation request.

A motion to approve the re-location request was made by Mr. Bittner and seconded by Ms. Tucker.

The motion was approved 4-0-0-1.

Ag Board Members	Aye	Nay	Abstain	Absent
Samuel Tressler, Chair	X			
Dick Bittner, Vice Chair	X			
Andrew Toms	X			
Eric Troxell				X
Sandra Tucker	X			

#### B. Krantz Land Swap Request

Staff presented a request from Mark Krantz to adjust the boundary line between his property and the Krantz Family Farm. The gravel driveway and the transformer that was installed for access and electricity for Mark's home is just over the boundary line of his lot and is actually on the Krantz farm. Mark proposed an equal swap of land-yard between both Mark's property and the farm property. Staff recommended approval of the land swap request.



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A motion to approve the re-location request was made by Mr. Toms and seconded by Mr. Bittner.

The motion was approved 4-0-0-1.

Ag Board Members	Aye	Nay	Abstain	Absent
Samuel Tressler, Chair	X			
Dick Bittner, Vice Chair	X			
Andrew Toms	X			
Eric Troxell				X
Sandra Tucker	X			

### III. CREP

#### C. Mills Project

Staff presented a request to continue to negotiate a Conservation Reserve Enhancement Program (CREP) Easement and act as a co-holder with the Maryland Department of Natural Resources on the Trish and Rich Mills property. The Mills property is located on Woodsboro Road in Frederick, Maryland and is approximately 31 acres. The Mills' currently have pasture for a variety of farm animals. A tributary of Cabbage Run passes through the property. These factors make the property a good fit for a CREP easement.

A motion to approve the re-location request was made by Mr. Bittner and seconded by Ms. Tucker.

The motion was approved 4-0-0-1.

Ag Board Members	Aye	Nay	Abstain	Absent
Samuel Tressler, Chair	X			
Dick Bittner, Vice Chair	X			
Andrew Toms	X			
Eric Troxell				X
Sandra Tucker	X			



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#### V. Ag Board

##### A. Applications Review

Staff presented applications to the Agriculture Preservation Advisory Board for seat to be on the Board from Matt Toms, Caroline Orłowski, Brad Seiss and Lisa Gaver. Candidates for the board position that were present were Matt Toms, Caroline Orłowski and Brad Seiss. The Board reviewed all applications in a closed meeting. The candidate nomination from the current board members will be presented to the County Council and then the County Executive for review and approval. The board decided to nominate Matt Toms to the Agriculture Preservation Advisory Board.

A motion to approve Matt Toms for a board member seat was made by Ms. Tucker and seconded by Mr. Toms.

Ag Board Members	Aye	Nay	Abstain	Absent
Samuel Tressler, Chair	X			
Dick Bittner, Vice Chair			X	
Andrew Toms	X			
Eric Troxell				X
Sandra Tucker	X			

#### VI. Program Status Report

- A. MALPF- Staff reported that there was a public hearing held on 9/5/2023 to approve the candidates that the Ag Board recommended were sent down for further review.
- B. IPP- 47 applications were received by staff for the FY 24 cycle. Staff is still working toward settlement on other properties in this program for the FY 22 and FY 23 cycles.
- C. Critical Farms- 2 appraisers were hired to appraise all of the properties that that applied to the FY 23 cycle.
- D. MARBIDCO Next Generation- One property recently settled in this program.
- E. Rural Legacy- Staff received a 3.135 million grant recently in this program for both the Mid-Maryland and Carrollton Manor Rural Legacy areas.
- F. CREP- Staff reported that the funding is still good and that there is still a lot of interest in this program.
- G. Inspection Update- Staff reported that inspections are being taken place for MALPF, IPP, Rural Legacy and CREP.
- H. Other Violations Update- Staff reported that there are violations that are currently being rectified and hope to provide an update next meeting.

A motion to adjourn the meeting was made by Andrew Toms at 8:03 pm.



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