



Agricultural Preservation Advisory Board

Minutes of Tuesday October 5, 2021

WebEx Meeting

Members Present: Samuel Tressler, III, Chair; Dick Bittner, Vice Chair; Eric Troxell (joined at 7:15pm)

The meeting was called to order by Chair Tressler at 7:15 p.m.

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

I. Minutes

A. Minutes from July 26, 2021

Staff presented minutes from 07/26/2021 for review and approval.

Chair Tressler made a motion to approve the minutes of July 26, 2021. The minutes were approved by consensus.

II. MALPF

A. Black Ankle Vineyards Expansion

Beth Ahalt presented a request from Melissa Schulte on behalf of Black Ankle Vineyards, LLC to expand their agricultural operation to include a larger wine fermentation processing facility on their MALPF easement property. Staff feels that Black Ankle Vineyards meets the MALPF conditions under processed (value added) farm and forest products and recommended approval.

Vice Chair Bittner made the motion to adopt the staff recommendation to allow approval for the expansion of the wine fermentation/ production area. Eric Troxell seconded the motion.

Vote: Yea 3 Nay 0 Not Present 2



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III. IPP

A. Hodges Road Project:

Shannon O'Neil presented a request from the Frederick County Division of Public Works to grant 0.959 acres right of way on the George Hodges and Helen Hodges Conte IPP Easement. The right of way request is to implement roadway, drainage special purpose, revertible slope and temporary construction easements of Gas House Pike to upgrade Gas House Pike from the Frederick City Limits to Boyers Mill Road to serve future traffic growth in the New Market region. Staff believes that the proposed Right of Way easement will have minimal impact on the farming operation and recommended approval of the Roadway Right of Way easement on the Hodges IPP easement.

Vice Chair Bittner made the motion to adopt the staff recommendation to allow approval of the Roadway Right of Way easement on the Hodges IPP Easement. Eric Troxell seconded the motion.

Vote: Yea 3 Nay 0 Not Present 2

B. Troxell Lot and Ag Subdivision:

Shannon O'Neil presented a request from the Power of Attorney for Mr. Roger Troxell for an unrestricted lot and an agricultural subdivision request on the 146.04-acre property. This property is currently for sale by Mr. Troxell and the contract purchasers are interested in subdividing the property in to two farm operations. In order to facilitate the sale of the property, and help the contract purchasers achieve their wish to add a second house and execute an agricultural subdivision, Mr. Troxell's power of attorney has submitted a request for an unrestricted lot, so that a second dwelling could be built on the second farming operation. Staff recommended approval.

Vice Chair Bittner made the motion to adopt the staff recommendation to allow approval of the 2-acre maximum unrestricted lot and the agricultural subdivision on the Troxell IPP easement.

Vote: Yea 3 Nay 0 Not Present 2



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IV. CREP:

A: Glass CREP Project:

Anne Bradley presented a request whether Frederick County should negotiate Conservation Reserve Enhancement Program (CREP) easement and act as a co-holder with the Maryland Department of Natural Resources on the 61.29ac Carroll and Laurie Glass property. Staff recommended approval.

Vice Chair Bittner made the motion to adopt the staff recommendation to approve a CREP easement on the Laurie and Carroll Glass, Jr. property. Mr. Troxell seconded the motion.

Vote: Yea 3 Nay 0 Not Present 2

V. Rural Legacy:

A. SMC Real Estate LLC Lot Request

Anne Bradley presented a lot exclusion request on a Rural Legacy Easement property located on the north and south sides of Burkittsville Road, within the town of Burkittsville, MD that is comprised of 210.665 acres. SMC Real Estate purchased the property from the Estate of Wayne Guyton in January of 2021. The request is for the 3rd and final lot allowance and the request to subdivide a lot around the preexisting dwelling on Main Street in the Town of Burkittsville. Staff feels that the lot aligns with the conservation attributes within the deed of easement, and recommended approval of the location of the lot.

Vice Chair Bittner made the motion to adopt the staff recommendation to allow approval of the lot with the exception for the Town of Burkittsville to decide where lot boundaries are. Mr. Troxell seconded the motion.

Vote: Yea 3 Nay 0 Not Present 2



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VI. County Held Easements:

A. Crosby Ag Subdivision Request

Anne Bradley presented a request for an agricultural subdivision to add the portion Ms. Crosby owns on the north side of Sumantown Road to the parcel that Mr. Blickenstaff owns on the south side of Sumantown Road. This would result in an 80 acre easement property owned by Mr. Blickenstaff on the north side of Sumantown Road and the remaining 26 acres being owned by Ms. Crosby. Staff recommended approval.

Eric Troxell made the motion to adopt the staff recommendation to allow approval for the agricultural subdivision. Vice Chair Bittner seconded the motion.

Vote: Yea 3 Nay 0 Not Present 2

VII. Program Status Reports

- A. MALPF- Anne Bradley gave an update that all of the MALPF applications that got sent to MALPF for this fiscal year went to the Planning Commission in September and were all accepted. These applications are currently being appraised.
- B. IPP-Anne Bradley gave an updated that we had an IPP cycle with a deadline of September 1st, 2021. We had 27 applicants that applied this cycle. Shannon O'Neil and Beth Ahalt are working on getting the farms ranked, and we hope to present those farms to the Ag Board soon.
- C. MARBIDCO Next Generation-Beth Ahalt reported that since the last Ag Board meeting in July, we have had one application to this program that was submitted for the September 30th deadline. Beth also reported that Anne, Shannon and herself met with MARBIDCO and addressed our concerns about the Next Generation program. There is a meeting with all of the counties in Maryland on October 8th with MARBIDCO, and we will provide an update to the Ag Board with how that went.
- D. MARBIDCO SANG- Anne Bradley provided an update that Frederick County had the first SANG application to be processed in the state. The farm had settlement in July and it was for a property in Keymar, MD.



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- E. Critical Farms-Anne Bradley reported that we sent out a request for bids for the Critical Farms cycle, and the two appraisers that won the bid were going to farms in the next few weeks to begin appraisals.
- F. Rural Legacy- Anne Bradley reported that we have multiple people interested in this program, and we have grant money to spend to make farmers offers in this program, and are working with our finance department to see how many offers we can make.
- G. Inspections Update: Beth Ahalt reported that we have visited 41 farms for inspections since our last meeting in July. We have visited 1 CREP easement, 26 IPP easements, 9 Rural Legacy easements, and 5 MALPF easement properties. We have 17 scheduled inspections remaining for the month.
- H. Inspection Violation Updates: Beth Ahalt reported that we have four potential easement violations. Three of the potential violations involve the use of a recreational vehicle as a dwelling and the other involves a commercial use that appears to not be allowed under Ag Preservation. Staff reported that we are working with our County Attorney and the Zoning staff to rectify these violations.

Vice Chair Dick Bittner moved that the meeting be adjourned and Eric Troxell seconded the motion. Chair Tressler adjourned the meeting at 8:07 pm.