



JOHN A. OLSZEWSKI, JR.  
County Executive

STEPHEN LAFFERTY, Director  
Department of Planning

Baltimore County Agriculture Advisory Board  
Meeting Agenda

**MEETING: July 13, 2022 Board Meeting – 6:30 PM @ The Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030. (see below for instructions to submit comments in advance)**

**Attendees:**

**Board Members Present:** John Merryman, Steve Myer, Scott Welsh, Brenda Strohmer, Holly Gilmore

**Staff:** Megan Benjamin, Joe Wiley, David Birkenthal

**Others:** Jim Ensor (ex officio, Soil Conservation), Eric Hines (NRCS)

**I. APPROVAL OF MINUTES/ADDITION OR DELETION OF AGENDA ITEMS:**

A. Approval of Minutes of: June 8, 2022

**Motion:** To approve the minutes of June 8, 2022

Motioned by: Steve Myer

Seconded by: Scott Welsh

Decision: Unanimous Approval

B. Addition or Deletion of Agenda Items.

**II. MALPF EASEMENT LANDOWNER REQUESTS/ISSUES**

A. **Armacost Family – 17634 Bruehl Road– 87.41 ac – (MALPF# 03-96-13AC)**

**Request:** Recommendation of approval of a lot release for a pre-existing dwelling

**Background:** The Armacost's are requesting a lot release for a pre-existing dwelling on the easement property located at 17634 Bruehl Road. The house was existing at the time the easement was placed on the property and thus they are able to request a lot release for this dwelling. They are seeking a release of up to 2 acres around the dwelling and the yard area which is not farmed and accompanying County approval of an Agricultural Subdivision. No other development rights remain on this part of the farm.

The release requires the recommendation of the Ag Board and review by MALPF. If County development regulations require any forest conservation or buffer overlay, the request will need to go to MALPF's Board for review.

**Discussion:** Megan Benjamin provided background to the Board.

**Motion:** To recommend approval of a lot release for a pre-existing dwelling and recommend approval of an agricultural subdivision if sought by the applicant

Motioned by: Steve Myer

Seconded by: Scott Welsh

Decision: Unanimous Approval

B. **Nash, Carl & Sandra – 16548 Cedar Grove Road, Sparks – 85.63 ac – (MALPF # 03-94-01AE)**

**Request:** Recommendation of approval of a non-subdividable Owner's lot

**Background:** The Nash's are requesting approval for an Owner's lot to build a house which will not be subdivided from the farm. The cattle farm is currently managed by their grandson whom the farm will pass to in their estate. The Nash's are aware that a stipulation of the owner's lot is that they are to reside there for 5 years.

The lot location was chosen to minimize the impact to the agricultural operation of the farm. Access will be from an existing farm road that connects to Cedar Grove Road. This location will have a minimal impact of the agricultural capability of the farm. The soils in the area of the proposed owner's lot are all Class II. There are 96% qualifying soils remaining on the farm. The approximate location of the requested lot is shown in yellow on the accompanying aerial map. There are no dwellings existing on the MALPF easement. A child's lot for son, Larry Nash, was previously approved.

**Discussion:** Megan Benjamin provided background to the Board:

**Motion:** To recommend approval of a non-subdividable Owner's lot

Motioned by: Steve Myer      Seconded by: Brenda Strohmer

Decision: Unanimous Approval

### III. BALTIMORE COUNTY EASEMENT/LANDOWNER REQUESTS/ ISSUES

#### A. Frank, Raymond & Sandra – 2800 Monkton Road, Monkton – 92 ac (BC 02-20)

**Request:** Review and approval of proposed events and event parking for 7/21-7/23, 9/15-9/17, 9/30-10/2, 10/7-10/9, 11/4-11/6, & 12/2-12/4

**Background:** This property is subject to County Ag Easement recorded in County land records (Liber 16540/ Page 550).

The Franks are requesting review of planned events. For the temporary events, the Frank's are requesting a parking area of approximately 4 acres, which under the Guidelines would qualify this as a Tier 2 Ag-related event and thus requires Ag Board approval since the requested parking is greater than 2 acres (see Section B.14. page 8 of Guidelines, attached). In addition, any event must be farm or forest related (see Section B, page 8) .

The number, frequency and scale of events are as limited by the Maryland Brewery License and the Special Exception Order 2017-0327-X) and are to be consistent with the scale of the brewery operation and the area's rural character.

If impacted, any farm or forested area must be maintained or restored to its original condition.

The Board is asked to review the event to confirm it is farm or forest related and to review the requested parking area for the events listed below:

July 21, 22, 23-Farm Love Weekend. All things farm related. Hop tours, farms stands, farm to table dinners, etc

Sept 15, 16, 17– 4 year Anniversary. Brewery tours and lessons on craft beer process

Sept 30, Oct 1, 2– Fall Fest-Local farms pig roast

Oct 7, 8, 9– Oyster Fest-education about farm raising oyster, local pumpkins for sale, local pit beef

Nov 4, 5, 6– Oyster Fest-aquaculture demonstration and meeting oysterman, Albright Farms Turkey Sale

Dec 2, 3, 4– local Christmas tree sale.

All events will have new beer releases.

**Discussion:** Joe Wiley (staff) provided background to the Board. Megan Benjamin informed the Board of comments received prior to the meeting from community members. Two comments requesting the board reject the request were submitted prior to the meeting.

Mr. Reinhart requested that the requested that the Board withhold any decision related to the property until after a ruling from the Board of Appeals is received.

John Merryman requested that staff confirm that the issue before the Board is not related to day-to-day parking on the property. Megan Benjamin informed the Board that the Board's authority only extends to issues related to the easement.

Brenda Strohmer asked how many events the applicants are allowed per year. Megan Benjamin informed the Board that eight events are allowed per year and two events have been approved previously and six event approvals are being requested.

**Motion:** To accept the request for an event parking area as presented  
Motioned by: Brenda Strohmer      Seconded by: Steve Myer  
Decision: Unanimous Approval (Holly Gilmore and Scott Welsh recused themselves)

#### **IV. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS**

- A. **Lawrence Gerst (Owner), Beth Gerst-Scheopner (Tenant) – 13415 Bottom Road, Hydes - 50.23 acres**  
**Request:** Review of proposed development plan for tenant dwelling (Requested by Balt Co. PAI Department)

**Background:** The Gerst Property is zoned RC-2 and is 50.2 acres.

At the July 14, 2021 meeting, the Board voted to recommend that the agricultural operation on the property warranted the requested tenant dwelling. Beth Gerst-Scheopner, the tenant farmer, and her family intended to occupy the tenant dwelling.

Landowners submitted for permitting a proposed site plan with a proposed 9000 SF tenant dwelling structure located along Bottom Road. Baltimore County Office of Permits, Application and Inspections (PAI) has requested that the Board review the proposed site plan under Baltimore County Code Section 3-3-305.b.5 and provide comment regarding the impact the siting and scale of the proposed structure will have on the agricultural operation. PAI considers the proposed structure to include 2 dwelling units.

PAI has informed staff that the Board may recommend that the Administrative Law Judge (ALJ) reviews the proposal with the consideration of any additional Board comments. Recommendations for review by the ALJ may be prepared by staff and approved by the Board chair.

**Discussion:** David Birkenthal provided background to the Board. The applicants noted that there are no restrictions on the size of tenant houses in an RC-2 zone and have informed Zoning that they are willing to make the appropriate changes so that the structure is considered a single dwelling unit.

John Merryman inquired as to whether there was an existing dwelling with a tenant on the property. The applicant informed the Board that the existing residential structure on the property is being rented to a non-farming related individual. Megan Benjamin informed the Board that circumstances have changed since the request was initially approved by the Board and that the applicant was now proposing that the landowner would live in the proposed tenant house.

Scott Welsh requested additional information regarding the staff recommendation for the request. David Birkenthal informed the Board that staff has recommended the Board vote to approve a motion to recommend the case be reviewed by PAI, though such a recommendation will not necessarily lead to such review.

Steve Myer noted that there are important advantages to the farming operation provided by the proposed structure.

John Merryman inquired as to the advantages provided to the applicant by designating the proposed structure as a tenant house, rather than as the main dwelling. Megan Benjamin informed the Board that such a designation allows the applicants to keep the existing separate residential structure which is rented to a non-farming tenant.

**Motion:** To inform PAI and the ALJ that the proposed structure will not impact the agricultural operation on the site.

Motioned by: Steve Myer

Seconded by: Scott Welsh

Decision: Unanimous Approval

#### **V. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES**

Megan Benjamin informed the Board of easement closings in 2022. Joe Wiley informed the Board that 60 federal and MALPF inspections were completed on time this year and that County inspections in the Fall.

#### **VI. MISCELLANEOUS/ INFORMATION/ CORRESPONDENCE/ NEWS ARTICLES**

The Board thanked John Merryman for his service as a member of the Board and for his term as Chairperson. Megan Benjamin presented John with a resolution of gratitude from the County Executive.

#### **VII. FUTURE MEETING DATES**

Next Meeting: September 14, 2022

#### **IX. ADJOURNMENT 7:45 PM**