



JOHN A. OLSZEWSKI, JR.
County Executive

STEPHEN LAFFERTY, Director
Department of Planning

Baltimore County Agriculture Advisory Board
Meeting Agenda

MEETING: December 14, 2022 Board Meeting – 6:30 PM @ The Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030.

Attendees:

Board Members Present: Steve Myer, Scott Welsh, Holly Gilmore, Rick Bernstein

Staff: Megan Benjamin, Joe Wiley

Others: Ann Jones, Eric Hines, Bruce Doak, Michael & Justin Harrison, Tom & Julia Cassidy, Mr. & Mrs. Hosford, Erik Oosterwijk, Craig Rogers

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

A. Approval of Minutes of: November 9, 2022

Motion: To approve the minutes of November 9, 2022

Motioned by: Rick Bernstein

Seconded by: Scott Welsh

Decision: Unanimous Approval

B. Addition or Deletion of Agenda Items.-None

II. MALPF EASEMENT LANDOWNER REQUESTS/ISSUES

A. Willowdale Farm Associates, – Black Rock Road– 175.972 ac – (MALPF# 03-96-17E)

Request: Recommendation of 1) approval of a child's lot and 2) recommendation of the action as a General Exemption for Agricultural Purposes.

Background: This property is subject to MALPF easement #03-96-17E. A Child's lot is requested for Justin Harrison, son of Michael Harrison, one of the original Grantors of the easement, established in 2004.

The lot is located along an existing access road and situated at the edge of a pasture and hayfield so as to minimally impact the agricultural operation. A barn and small outbuildings are located across the access road from the proposed site. The location of the lot meets the Foundation's Lot Location Policy*. The property has 81% qualifying soils so the property will continue to meet soils requirements after the lot is established.

The easement provides the right for a Child's lot of 1 acre or less.

*The Foundation's Lot Location Policy options for geographical location (in priority order from most to least desirable) are:

1. Along public roadway and (if they exist) clustered with other dwellings;
2. Along boundary lines, natural boundaries, or the edge of tillable land, and clustered with other dwellings (if they exist)
3. Clustered with farmstead dwellings and buildings.

Discussion: Megan Benjamin presented the background to the Board. Staff made a site visit to the property the week prior to the meeting and displayed photos taken of the farm and proposed Child's lot location. Dr. Michael and Justin Harrison were present and available for any questions. Dr. Harrison shared the details of Justin's work on the farm and their desire to continue the family farm operation. Justin Harrison addressed the Board and explained the process they went through to determine the best location with least impact to the farm and detailed

including being able to maintain operations, access to utilities, and existing road access.

Motion: Recommendation of approval of the proposed Child's Lot on the easement property and recommendation of the action as a General Exemption for Agricultural Purposes.

Motioned by: Scott Welsh

Seconded by: Rick Bernstein

Decision: Unanimous Approval

III. BALTIMORE COUNTY EASEMENT/LANDOWNER REQUESTS/ ISSUES

A. Oosterwijk, Erik & Aspasia– 4630 Long Green Road – 123.102 ac—(BC 97-10)

Request: Approval of relocation of main dwelling.

Background: The property is subject to a Baltimore County/Federal easement. The Oosterwijks purchased the property in 2014.

Mr. & Mrs. Oosterwijk are asking to relocate the main dwelling on the property. The current dwelling is not habitable. The original farm buildings are to be razed. The house will be relocated to the current site of the large barn, and a barn will be built on top of the current foundation of the main dwelling. This is being done to minimize the impact on the farming capability of the property.

Discussion: Joe Wiley presented the background to the Board. Joe had visited the site during the 2022 monitoring visit. Mr. Oosterwijk and consultant, Craig Rogers were present to answer any questions. Mr. Oosterwijk addressed the Board and explained the work they have done improving the property. They intend to move to the farm to live and continue operating the property as a farm. The Dietz's currently farm the property.

Motion: Approval of relocation of the main dwelling as proposed.

Motion by: Rick Bernstein

Second by: Scott Welsh

Decision: Unanimous approval

IV. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS

A. Cassidy, Thomas & Julia– 5530 Glen Arm Road – 36 ac—RC2—MET Easement

Request: Verification of the legitimacy of a farm use and the need for an on-site full time tenant farmer

Background: The owners of this property, Thomas & Julia Cassidy, are requesting verification of need for a tenant house in order to continue their agricultural operation. The tenant house is currently occupied by Julia Angela Cassidy (daughter of the owners), who owns and manages Capall Millis Stable, an LLC incorporated in the State of Maryland and is registered at 5530 Glen Arm Road, Glen Arm, MD 21057 as a Family Farm. She has successfully run this Stable operation since 2015. The herd of horses has varied from 7 to 15 over the year and currently stands at 9.

The Board is asked to confirm if the current agricultural operation and scale justify the need for a tenant farmer.

All Zoning approvals are subject to the following:

1. Tenant dwellings are permitted only on farms and may only be occupied by a tenant farmer whose principal vocation would be farming on the property. (See farm definitions, Section 101 of the Baltimore County Zoning Regulations.)
2. The zoning regulations require that the property be a bona fide farm and the occupant of the dwelling be a bona fide tenant farmer. A copy of the deed to the property must be attached with the zoning approval forms, which will all be kept on file in the zoning office.

3. Additional documentation or a special hearing may be required to justify a tenant farmer. The tenant farmer's dwelling application and/or recommendation by the Agricultural Land Preservation Advisory Board (ALPAB) must recommend the farm use and the need for an on-site tenant.

Discussion: Megan Benjamin presented the background to the Board. The tenant house is existing, but the current owners are looking to improve the structure. When filing permits, the need for re-confirmation of the need for a tenant farmer was brought to light because the Cassidy's are relatively new owners and had not previously had the structure approved as a farm tenant house and thus the request before the Board. Mr. Cassidy and daughter, Julia were present to answer any questions. Mr. Cassidy addressed the Board to provide details on the property, including their plans to expand the pasture area. Scott Welch asked about the # of horses. Julia Cassidy confirmed there are currently 9 horses. Welsh also asked about the size of the structure. Julia Cassidy reported the house is currently 400 square feet with the plan to add 1 bedroom and a main floor bathroom (400 square foot addition).

Motion: Verification of the legitimacy of a farm use and the need for an on-site full time tenant farmer who is Julia Angela Cassidy (daughter of owners).

Motion by: Scott Welsh

Second by: Rick Bernstein

Decision: Unanimous approval

B. Baum, Thomas A. – Hidden Waters LLC – 3250 Old Court Road, Pikesville – 109.605 ac – MET Easement

Request: Recommendation of approval for Agricultural Subdivision (reconfiguration of previous approval).

Background: At the August 12, 2020 meeting of the Advisory Board, the Board reviewed and recommended approval of an Agricultural Subdivision for 2 lots from the above referenced property. The configuration of what was originally proposed has now changed from being 2 lots each of 2 acres to now being 1 lot of 4 acres being proposed.

Given the reconfiguration, the Board is asked to review and recommend approval as a General Exemption for Agricultural Purposes of the new proposal.

A request for agricultural subdivision, a General Exemption from the development process requires:

- 1) no new roads or streets
- 2) meets zoning regulations, and
- 3) be for agricultural purposes.

The Board is asked to review and make a recommendation on whether or not the subdivision is for agricultural purposes. "Agricultural purpose" means any use of land that directly contributes to the production, processing, or storage of *agricultural* products.

Discussion: Joe Wiley presented the background to the Board. Bruce Doak addressed the Board to explain the reason for the reconfiguration. The house on the reconfigured lot will be served by public water and sewer and be less intrusive to the farm operation by limited to one lot total. MET has approved the request in relation to their easement.

Motion: Recommendation of approval for Agricultural Subdivision (reconfiguration of previous approval).

Motion by: Rick Bernstein

Second by: Scott Welsh

Decision: Unanimous approval

C. Hosford, H. L. "Chip"-1211 Belfast Road- 20+/- ac- RC2

Request: Designation of Legitimacy of Agricultural Use for construction of a barn

Background: The Hosford property is a 20 +/- acre property located on Belfast Road. The property is zoned RC-2. The Hosfords own another farm property at 2144 Belfast Road (30 acres). Grain, Hay and Cattle are raised on

the properties. The barn currently at 2144 Belfast Road is used to capacity and additional space is needed for hay and equipment storage.

Both properties receive the SDAT preferential assessment.

The Zoning Office referred the matter to the Ag Board for review and recommendation of whether or not the operation should be considered a Commercial Agricultural operation. (BCZR definition below)
AGRICULTURE, COMMERCIAL — The use of land, including ancillary structures and buildings, to cultivate plants or raise or keep animals for income, provided that the land also qualifies for farm or agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the Annotated Code of Maryland, as amended. Commercial agriculture includes the production of field crops, dairying, pasturage agriculture, horticulture, floriculture, aquiculture, apiculture, viticulture, forestry, animal and poultry husbandry, the operation of an equestrian center, horse breeding and horse training and also includes ancillary activities such as processing, packing, storing, financing, managing, marketing or distributing, provided that any such activity shall be secondary to the principal agricultural operations.

Discussion: Megan Benjamin presented the background information to the Board. The Hosfords were present to answer any questions. Mr. Hosford discussed the need for the barn and the operation which they've operated since 1974. They grow and sell hay and wood, raise cattle. The new barn is needed for hay and farm machinery storage. Scott Welsh asked about the size of the barn. Mr. Hosford stated it would be a 40x60 pole barn. Rick Bernstein asked if there were any concerns of neighbors. Mr. Hosford stated that there were many neighboring farms with neighboring barns and no issues.

Motion: Recommend that the operation is a legitimate Commercial Agricultural operation.

Motioned by: Rick Bernstein
Decision: Unanimous Approval

Seconded by: Scott Welsh

IV. PROGRAM POLICY

A. Certification Report

Request- Board review of Application for Recertification of the Baltimore County Agricultural Land Preservation Program

Background: In accordance with State Regulations (COMAR 34.03.03) the County must reapply every five years for Certification of its Land Preservation Program in order to be able to retain additional Agricultural Transfer Tax funds for its easement acquisition program.

Baltimore County's program was recertified in 2017. The current reporting period is FY18-FY22.

As of the end of FY22, Baltimore County has placed 68,911 acres under easement, which is 107 square miles or 18% of the county's land. Among Maryland Counties it ranks 4th in MALPF easements (26,000 acres), second in Rural Legacy easements (12,000 acres [MDP shows about 11,000]), and first for MET (over 17,000 acres). During the five-year certification period, 4,136 acres were preserved in Baltimore County, with the County contributing \$4,317,444.75.

Discussion: Megan Benjamin presented the background information to the Board.

Motion: Approval of the Application for Recertification of the Baltimore County Agricultural Land Preservation Program.

Motioned by: Scott Welsh

Seconded by: Rick Bernstein

Decision: Unanimous Approval

V. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES

VI. MISCELLANEOUS/ INFORMATION/ CORRESPONDENCE/ NEWS ARTICLES

VII. FUTURE MEETING DATES

Next Meeting: January 11, 2023

VIII. ADJOURNMENT: 7:10 PM