



JOHN A. OLSZEWSKI, JR.
County Executive

STEPHEN LAFFERTY, Director
Department of Planning

Baltimore County Agriculture Advisory Board
Meeting Agenda

MEETING: June 14 2023 Board Meeting – 6:30 PM @ The Baltimore County Center for Maryland Agriculture, 1114 Shawan Road, Cockeysville, MD 21030.

Attendees:

Board Members Present: Steve Myer, Holly Gilmore, Brenda Strohmer, Rick Bernstein

Ex Officio Members Present: Jim Ensor

Staff: Megan Benjamin, Joe Wiley, Abigail Rogers

Others: Jess Armacost, John Alexander, Amanda Alexander, Jane & Richard Hall

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

A. Approval of Minutes of: April 12, 2023

Motion: To approve the minutes of April 12, 2023

Motioned by: Rick Bernstein

Seconded by: Holly Gilmore

Decision: Unanimous Approval

B. Addition or Deletion of Agenda Items: Megan Benjamin requests that in addition to approving the April 12 minutes that the board also approve the minutes from the June 6 closed meeting which are provided to the Board as a handout. She also requests to add to the closed session of the meeting reviewing and approving withheld areas from the FY24 MALPF application cycle.

C. Approval of Minutes of: June 6, 2023

Motion: To approve the minutes of June 6, 2023

Motioned by: Rick Bernstein

Seconded by: Holly Gilmore

Decision: Unanimous Approval

II. MALPF EASEMENT LANDOWNER REQUESTS/ISSUES

N/A

III. BALTIMORE COUNTY EASEMENT/LANDOWNER REQUESTS/ISSUES

N/A

IV. BALTIMORE COUNTY PERMITS & DEVELOPMENT APPLICANTS

A. **John Alexander– 19001 Graystone Road, White Hall – 97 +/- ac— (BC 09-03)**

Request: Review of farm use for legitimacy of agricultural use to construct a barn

Background: The Alexander property is a 97 +/- acre property located on Graystone Road. The property is zoned RC-2 and is subject to a County Agricultural easement. Mr. Alexander is proposing to build a 30' x 60' structure for shelter and hay storage on the property and was referred to the Board from the Soil Conservation District in regards to the anticipated grading. The Board is asked to consider the legitimacy of the agricultural use of the proposed structure. Mr. Alexander does not currently farm the property (leased to Troyer farms), but intends to convert a portion of the front fields to pasture to raise beef cattle and indicates that is the proposed use of the structure. The property does receive the SDAT preferential assessment.

It should be noted that easement staff and Sediment and Erosion Control staff visited the property in 2021 based on concerns raised about grading for multiple barns built on the property. At that time Mr. Alexander indicated the buildings were for his farm equipment and for the future cattle operation and no further action was taken.

Soil Conservation District referred the matter to the Ag Board for review and recommendation of whether or not the operation is a legitimate agricultural operation. The Board can also review and make a recommendation of whether the proposed use is in compliance with the BCZR definition of Commercial Agriculture.

Discussion: Jim Ensor expressed concern over the legitimacy of the existing two barns on the Alexander property and asked for clarification on the use of the three structures on top of the hill. Mr. Alexander indicated one is a shop for tractor and equipment repair and another is for equipment storage. Ms. Alexander clarified that the proposed structure is a 3 sided structure for cattle shelter and hay storage. Mr. Ensor asked if there are any commercial vehicles for Mr. Alexander's trash hauling business in the existing structures. Mr. Alexander indicated there are not and that he rents an off-site location for all of his commercial business purposes. Mr. Ensor asked if there was a lift in the building and Mr. Alexander indicated that there is a lift for his personal use. Mr. Ensor recommended that the Board consider delaying any recommendations until pasture is established and there are animals on the farm. Mr. Alexander expressed concern with bringing animals onto the property before there is shelter in place. Mr. Myer asked for further details of their plans for raising cattle. Ms. Alexander described their intentions and that they are still in the early stages as they determine the pathway forward. Ms. Benjamin asked for clarification from Mr. Ensor about the grading that took place previously for the structures now existing. Mr. Ensor indicated the Soil Conservation District is not regulatory and that would be up to County Sediment and Erosion Control to follow up as to whether there is an issue.

Ms. Benjamin reiterated that the role of the Board is to review and make a recommendation on the legitimacy of the Agricultural Use of the proposed structure and further reiterated the definition of Commercial Agriculture and brought up that the proposed cattle operation is not on the ground yet and so not yet an income producing operation. Ms. Benjamin asked about the status of fencing. Mr. Alexander indicated they have not moved forward with that yet. They are in the process of determining the appropriate path to have everything properly approved.

Ms. Strohmer indicated she thinks it would be prudent to have the pasture and fencing established prior to moving forward with the structure.

The size of the structure and need for a grading exemption was discussed. The structure will be ~1800 s.f. and grading area needed would be under 5,000 sf; however, because dirt will be coming from off-site, a grading permit or exemption will be required. Mr. Ensor instructed that there are specific requirements for where the dirt is coming from and they will want to be sure they are following those regulations.

Motion: Recommend that the proposed structure is for a legitimate Commercial Agricultural operation (feeder calves), conditioned upon the field being seeded for pasture and pasture fencing installed prior to seeking a grading exemption from Soil Conservation District.

Motioned by: Rick Bernstein

Seconded by: Brenda Strohmer

B. Hall Property—Thornton Mill Road, Sparks— 21 ac +/- ---RC2

Request: Review of a farm use for legitimacy of agriculture to construct a barn

Background: The Hall property is a 21 +/- acre property located on Thornton Mill Road. The property is zoned RC-2. The Hall's initially applied for a permit to construct the building as an Accessory Agricultural structure.

However, since there is not a house on the property, Zoning advised that a Special Hearing may be required for an Accessory Agricultural structure to be built before a residence is on the property. Zoning further advised that is the structure is for an existing recognized commercial farm, there should not be any variances needed. The Halls have requested review of the structure, which is intended to be for commercial agricultural purposes.

The farm is currently being farmed by Spring Garden Farms (Ned Ensor), until the Halls take over the farming. Richard Hall has been involved in other farming operations previously (see attached letter). The Halls need to construct the barn at this time to store their farm equipment. The property does receive the SDAT preferential assessment

Discussion: Mrs. Hall indicated that she and her husband have not yet applied for the permit, as she was looking for more information. Mr. Hall indicated he intends plant trees and create pasture to have sheep. Mrs. Hall indicated her main intent is to farm crops until they decide what to do regarding livestock. They have been gathering equipment and need to build the barn now in order to protect it from the elements. Mr. Myer asked the status of fencing. Mr. Hall indicated there is no fencing yet. There is currently alfalfa planted by Spring Meadow Farms.

Ms. Benjamin reiterated the distinction between a Commercial Agricultural operation and an accessory agricultural use and indicated that from what the Halls explain, they do not currently have a specific income producing operation in place or planned. Mr. Bernstein asked if they file farm income taxes and the Halls replied that they do not.

Mr. Bernstein indicated he is sympathetic to the Hall's proposed use but would want to see more of a Commercial Agricultural plan before recommending that it is a Commercial Agricultural operation. Ms. Strohmer indicated her agreement with Mr. Bernstein that more detail would be needed before being able to make any recommendation as for it being Commercial Agricultural use.

Mrs. Hall expressed the difficulty in navigating the process to follow and what the specific requirements are.

Ms. Benjamin indicated there remains the option for the Halls to move forward with a permit as an Accessory structure, which may require a Special Hearing as part of the permit process. Ms. Benjamin indicated that the Board could make the recommendation that the use is Accessory Agricultural (non-commercial).

Motion: Recommend that the proposed structure is for a legitimate Accessory Agricultural (non-commercial) use.

Motioned by: Brenda Strohmer

Seconded by: Rick Bernstein

Decision: Unanimous Approval

V. STATUS OF EASEMENT TRANSACTIONS/ INSPECTIONS/ UPDATES

VI. MISCELLANEOUS/ INFORMATION/ CORRESPONDENCE/ NEWS ARTICLES

A. Agricultural Buildings Discussion

Jim Ensor described the difficulty farmers have experienced when seeking to build an agricultural building. Jim Ensor described the difficulty farmers have experienced when seeking to build an agricultural building. There remains a lack of clarity on procedure within the County. SCD and UMD Extension produced a flow-chart to attempt to aid landowners in the process last year, but has yet to receive feedback from County Agencies. Rick Bernstein asked what enforcement there is if a building is built that ends up not actually being for an agricultural purpose. Megan Benjamin indicated that is something Code Enforcement could follow up on, if a complaint is made. Megan Benjamin shared that Planning has created a draft form/checklist and there is an inter-agency meeting scheduled in July to discuss the issues and solutions to move forward. Jim Ensor reminded everyone that the issue has been ongoing for several years at this point. There also seem to be new interpretations of certain agricultural related items that have not been communicated to the Agriculture Community or even within departments or related agencies that work with the Agriculture Community. It would be helpful to have greater transparency and clarity on these topics. Jessica Armacost discussed some of

the road blocks she has heard about from farmers seeking to navigate the permitting system within the County, which include issues on Roadside Stands, Agriculture Buildings, and Agri-tourism. Board members expressed concern on these issues and their negative impact on the Agriculture Community.

VII. FUTURE MEETING DATES

Next Meeting: July 12, 2023

VIII. CLOSED MEETING-FY24 MALPF Easement Application Ranking. Board to discuss and rank easement applications and reviewing and approving withheld areas from the FY24 application cycle.

The meeting was closed at 7:55 PM to discuss the ranking of the FY24 MALPF Applications.

IX. ADJOURNMENT