

Agricultural Preservation Advisory Board

Meeting Minutes

October 8, 2024

7:00 p.m.

The meeting was called to order at 7:04 pm.

1. Introductions

Board Members: Randy Stabler, Sarah Daken, Nick Magliato, Wade Butler, Tom Hoffmann.

Staff: Mike Weyand

Guests: Don Burrows, Jake Adler, Leo Lopez, Mikey Stotz,

2. Approval of Minutes

Magliato motioned to accept the minutes; Hoffmann seconded, and the motion carried.

3. Board Requests

a. Bluffing Goat Farm – Goat Milk Processing Facility

Mikey Stotz purchased Weitzer Farm (14705 Sugarland Rd), now Bluffing Goat Farm. He is requesting permission to construct a new goat milk processing facility. He intends to revive the farm using dairy goats and replicate the Cherry Glen business model, a former goat cheese producer located off Barnesville Rd. In 1992, a County AEP easement was placed on the 200-acre dairy operation. Magliato motioned to approve the facility; Hoffman seconded, and the motion carried.

b. Quarry Farm – Temporary Use Area Request

Board member Magliato requested permission to establish a temporary use pad on his Quarry Farm (Tax ID #00033807) at the Mouth of Monocacy Road. A DNR Rural Legacy Easement encumbers the farm. Magliato and Leo Lopez (QLoop representative) gave the board an overview of the project.

The temporary use pad is for the QLoop company to perform directional drilling to install a conduit for a telecommunications system on an adjacent property owned by Potomac Edison. The project aims to facilitate establishing high-speed internet access in the western agricultural parts of the county. The proposed temporary access area would be no larger than 75' by 100'. The reason for this request is the presence of a CSX railroad adjacent to the Potomac Edison property, which creates site constraints due to setback requirements for working near railroad tracks. It's important to note that no underground conduit or permanent infrastructure would be installed on the easement property. The temporary pad would only be in place for the duration of the project, which is expected to last 2-4 weeks, followed by the removal of the pad and complete restoration of the area, with no future access needed, granted, or allowed. This emphasizes the minimal and temporary nature of the project, ensuring the farm's operations can resume as usual after the project's completion.

Magliato and Leo Lopez recused themselves from meeting for board deliberation.

Weyand provided a recommendation from the Office of Agriculture. The office supports this request because it is temporary and will not have long-lasting impacts on the property's agriculture. Furthermore, it will serve a public good by supporting farm internet access in the agricultural community. DNR holds third-party interest through the Rural Legacy easement. DNR was notified and authorized the project under the Office of Agricultural oversight. The approval would not exempt the landowner from adhering to all necessary permit requirements, including State and County sediment and erosion control regulations. This would be a one-time project approval. No future projects of this nature would be authorized on the easement property without prior consent from the APAB. If any significant changes are made to the proposed plan, the landowner must notify the Office of Agriculture and may need reapproval from the board.

Board members Hoffman and Daken raised concerns about ensuring the area's restoration to preexisting conditions. They noted that projects from neighboring counties have had problems restoring project areas to acceptable standards. They advised caution in reviewing project contracts and suggested putting in place a bond to ensure the area would be restored adequately. Wade motioned to allow the temporary use area; Hoffman seconded, and the motion carried. Weyand will follow up with a formal letter to Magliato granting permission to pursue the project under the easement terms.

Magliato expressed gratitude to the board for its careful consideration of the project and stated that he would establish a bond to ensure the area is properly restored.

4. AEP/BLT/TDR Easements

- a. Planning Board TDR Incentive - *no update*.
- b. BLT Open Purchasing Period - *no update*.

5. Maryland Agricultural Land Preservation Foundation (MALPF) Easements

- a. FY24 Applicants – *no update*
- b. FY25/FY26 Applicants – *no update*

6. Rural Legacy Program (RLP) Easements

- a. FY25 Grants – *no update*
- b. FY23 Grants – *no update*

7. Easement Monitoring & Inspections

The Office of Agriculture completed one easement inspection last month. The property was found to be in full compliance with the easement agreement.

8. Legislative activities

There are no new legislative activities currently.

9. Solar/Energy

- a. Chaberton Solar Sugarloaf – *no update*
- b. Solar Siting Standards

The State is establishing a Solar Development Corridor (SDC), which encompasses two miles in either direction from transmission lines of 69KV or greater. New standards for siting solar are being discussed for the SDC. The Office of Agriculture will inform the Board as more information about the standards becomes known.

10. Other Business

a. On-Farm Camping

The Montgomery County Council approved ZTA 24-02, allowing overnight stays in the county's agricultural reserve and other rural areas. The decision aims to provide property owners with an additional opportunity for agritourism. The Office of Agriculture is now working with a landowner seeking to offer agritourism camping experiences on the farm. A county AEP easement encumbers the farm; therefore, the use of the farm would require Agricultural Preservation Board approval. Staff Weyand will keep the board updated as this project moves forward.

b. Committee Evaluation and Review Board (CERB) Questionnaire

The CERB makes recommendations to the County Executive and County Council concerning the function, structure, staff impact, and effectiveness of specific county advisory boards, committees, and commissions. The County Code requires that every advisory board, including the APAB, produce a report describing why that board should continue to exist. The deadline to submit this report is October 30, 2024. Stabler and Magliato worked with staff member Weyand to develop a draft report for the October board meeting. Magliato motioned to submit the report to CREB; Hoffman seconded, and the motion carried.

c. Upcoming Meetings and Events

MSCD Board of Supervisors meeting: October 11, 2024

Agricultural Advisory Committee meeting: October 15, 2024

The meeting was adjourned at 8:46 pm.