

Agricultural Advisory Committee (AAC)

Minutes of August 21, 2012

Attendance: David Weitzer, Linda Lewis, Tim McGrath, Jane Evans, Drew Stabler, Eddie Kuhlman, Paula Linthicum, Robert Beall, Woody Woodroof, Debbie Benson, Chuck Schuster

Guests: Michael Protas

Staff: Jeremy Criss, Callum Murray, Sarah Miller
The meeting was called to order at 7:03 pm.

Introductions: Everyone introduced themselves.

Approval of Minutes July 17, 2012:

The Committee was asked if any changes or corrections were needed to the AAC minutes from July 17, 2012. Criss said that he was not sure whether Debbie Benson attended the July meeting. Linda Lewis said that Debbie was not able to attend. Hearing no additional changes Jane Evans motioned to approve the minutes as corrected, and Drew Stabler seconded the motion and it passed. Woody Woodroof abstained because he was not able to attend the July meeting.

Follow Up from the PHED Committee Work Session:

The Committee was updated on the discussion from the PHED Committee work session to discuss land use and economic trends in the Agricultural Reserve. Marlene Michaelson proposed County Council members and staff representative tours of the east and west portions of the agricultural reserve during the first week of September. Callum Murray said he was concerned regarding the limited amount of time (only 2 hours per tour) that Marlene has proposed for the tours. David Weitzer said that Council member Marc Elrich asked why the farmland preservation programs are required to purchase easements on the farms with the best and most productive soils. David Weitzer was puzzled by the question and he was glad the responses provided to the Council members clearly addressed the soils productivity requirements of the State and County codes. Callum Murray discussed the case studies he presented to the PHED Committee in terms of how the plan was submitted verses the final plan approved by the Planning Board. The cases showed how the MNCPPC is working to reduce the size of proposed lots and retain more farmland. David Weitzer said that he was surprised as to how the work session lasted for 3 hours and the Council members were very interested in the staff reports. Criss asked Callum Murray to discuss his comments he made regarding the TDR receiving area deficit. Callum said that he reported the current TDR receiving area deficit to be approximately 2,400 TDRs.

New Farm Pilot Project-Sarah Miller:

The Committee was introduced to Sarah Miller-DED staff representative and point person on the August 6, 2012 Press Announcement by the County Executive and the Director of the DED for the New Farm Pilot Project. Sarah Miller explained the purpose of the pilot project to help new farmers locate land to start an agricultural operation in the County. Sarah said the DED hopes to implement the project with 3-5 applicants that will be considered for the two privately owned properties-Mike Rubin and Delores Milmoie. The project is designed to encourage seriously interested people to pursue an agricultural operation for table food crops and not people that hate their office job and they are looking for a new work environment. The project will work similar to a dating service where the DED will connect landowners with the individuals wanting to farm the land. The program will also involve a mentoring and training program that will benefit existing table food crop producers that want to provide training opportunities to help educate people on how to produce table food crops they produce on their farms for a fee. There is an Advisory Board that will review the applicants and make recommendations to prioritize the applicants and put them in contact with the property owners. Jane Evans asked how the Small Business Administration-SBA Grant-\$150,000 will be allocated. Sarah said that approximately \$120 K will be allocated to the pilot project and the remaining \$30K will be used for other green business initiatives. Sarah said the SBA grant is governed by several federal requirements including a host of rules that must be met. Linda Lewis asked if the program would impact her-Lewis Orchard and the leases they have with property owners. Staff responded that the pilot project should have no bearing on the existing lease agreements between a property owner and the tenant farmer. Paula Linthicum said the program needs to be sensitive to existing lease agreements between landlords and farmers to make sure it would be fair and equitable for everyone. Michael Protas asked as to whether there would be any funding available for the farm equipment and supplies. Sarah Miller responded that this was a good question and that the project proposes resources for these items to be shared and purchased in cost share arrangements. Michael Protas said he wished this project was around two years ago when he started to farm and that he has worked very hard to buy equipment, install a well, and market his products with minimal assistance. Sarah said the Michael can be considered as part of the project and she encouraged everyone to work with us-DED as we learn together regarding the needs of that agricultural community. Woody Woodroof asked how can we help people like Michael Protas to his investment pay off.

Discussion on the Zoning Rewrite Process:

The Committee was reminded that they received the Consolidated Draft Report dated July 15, 2012 following the July 17, 2012 AAC meeting. The Committee discussed the best way to proceed and it was suggested a sub-committee of the AAC be formed to review the draft report in detail and provide comments to Jane Seigler-Agricultural representative on the Zoning Advisory Panel. The deadline to submit comments is September 13, 2012 which is prior to the next AAC meeting. The following individuals asked to serve on the sub-committee: Paula Linthicum, Eddie Kuhlman, Jane Evans, Tim McGrath, and Callum Murray. Callum Murray said the current zoning regulations are

too long and you need a lawyer to understand it because it was written by lawyers. The schedule for the Planning Board to review the Zoning Rewrite Process is very limited with only one work session. The Child Lot ZTA 12-10 took six years to resolve so how are we going to rewrite the entire zoning regulations in a short period of time. Paula Linthicum said she printed out the entire Draft Report and this is very serious business. Why on earth does the MNCPPC propose to limit the number of fowl-poultry to only one per property? Paula Linthicum said the point where the County defines the types of livestock and crops permitted we will shoot our self in the foot.

Farming At Metro's Edge FAME Conference:

The Committee was informed regarding the new dates for the FAME conference January 11-12, 2013 and the three panels that are being organized. There are several folks identified as possible panelists and they are being contacted to see if they are interested.

Discussion on Chapter 50 of the Montgomery County Code-Subdivisions:

The Committee discussed the draft letter to the County Council recommending creation of a new condition of approving a record plat of subdivision to prohibit future cases of private covenants being recorded on properties in the RDT zone that are encumbered by TDR easements. The following individuals agreed to serve on an AAC sub committee: Eddie Kuhlman, Jane Evans, and Paula Linthicum. Criss said that Eddie Kuhlman and Paula Linthicum supported the draft letter. Jane Evans said the draft letter looks good although additional discussion is still needed regarding the legal merits of the recommendation. Hearing no additional discussion, Eddie Kuhlman motioned for the letter to be submitted to the County Council, Woody Woodroof seconded the motion and it passed.

Discussion-How Forest Conservation Mitigation is applied to Septic Areas:

The Committee was informed regarding a letter dated August 3, 2012 to the Planning Board pertaining to a proposed plat that included the septic area governed by a Declaration of Intent to farm as part of the forest conservation mitigation. The committee agreed that since a deep trench septic system was proposed that permits agricultural activities on the ground surface above the septic area the Declaration of Intent to farm will be fulfilled and therefore forest mitigation should not be applied. Hearing no additional discussion, Eddie Kuhlman motioned for the staff to draft a letter advocating the position of the AAC on the treatment of deep trench septic systems and Forest Conservation-Mitigation, Drew Stabler seconded the motion and it passed.

The next meeting of the AAC is September 18, 2012@ 7:00 pm in Germantown.
The meeting was adjourned at 9:01 pm.

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