



**HOWARD COUNTY AGRICULTURAL LAND PRESERVATION BOARD
AND STATE AGRICULTURAL PRESERVATION ADVISORY BOARD**

**Meeting Minutes
July 13, 2009**

Attendance:

Board Members: Sean Hough, Chairman
John Komsa, Vice Chairman
Howie Feaga
James Eacker
Lynn Moore

Staff: Joy Levy, Administrator, Agricultural Land Preservation Program
Mary Smith, Secretary, Agricultural Land Preservation Program

Action Items

1) **Minutes from 2009 Meeting** – Chairman Hough called the meeting to order at 7:30 p.m., and then asked for additions or corrections to the minutes of the May 4, 2009 meeting. There being none, Mr. Eacker motioned to accept the minutes as mailed. Mr. Feaga seconded the motion. The motion carried unanimously.

Discussion-Items

1) **Update on Days End Farm Horse Rescue property-** Ms. Levy announced that the Days End Farm Horse Rescue (DEFHR) is in their new location on Route 94, and she reported on her site visit to the property. She indicated that she walked the farm with Kathy Howe, DEFHR's Executive Director. Ms. Levy stated that she was shown the extensive renovations that have occurred on site since DEFHR moved in, and that she was impressed with their efforts. She was told that most of the materials and labor were donated. Ms. Levy indicated that the property was put into preservation in 1991 by a previous owner and that DEFHR has a seven year lease on the property, with the first option to buy.

Ms. Levy stated that the primary purpose of the site visit was to inspect the existing dwellings and discuss the change of use for one of the dwellings currently proposed by Ms. Howe. She reported that the main house is being used as office space. The smaller house behind the main house is where Ms. Howe lives. There is also a trailer on site that houses Ms. Howe's son, who works on the farm. These uses will all stay the same. There is a modular home that was donated to DEFHR that has been used for storage since it was placed on the site. Ms. Howe indicated that she now wishes to use the structure to house interns. When it was first donated, DEFHR obtained a building permit indicating that the initial use would be for storage, but that it would eventually be converted to a residential use. Ms. Levy stated that she was advised that although there are no DPZ issues with the proposed change, Ms. Howe may need to get a change of use permit from the Department of Licenses, Inspections and Permits.

Some of the Board members questioned whether this proposal would have been more appropriate as an action item, expressing their concern that the property ended up with a de facto tenant house without getting the Board's approval.

Ms. Levy stated that she spoke with Chairman Hough about the situation prior to the meeting, and he agreed that it was appropriate as a discussion item. The structure is already on site and is not proposed to be moved. Its current location is ideal in that it is clustered among the other dwellings in the central part of DEFHR's operation. With 58 acres, there would be the entitlement for up to two tenant houses, which the modular will now be considered. Clearly the interns are there to work on the farm. Ms. Levy stated that there are no further dwelling rights remaining. She also indicated that the minutes of this meeting will be placed in the file in case there are any questions in the future regarding changes in the use of the buildings.

Ms. Levy mentioned that Ms. Howe has also expressed her interest in exploring alternative energy sources for the farm. She stated that she informed Ms. Howe that DPZ has no problem with this as long as it is not for commercial use. Ms. Howe is looking into erecting a wind turbine to help power the farm.

2) Batch 14 Update - Ms. Levy announced that she has received six applications so far in Batch 14, which will close on July 31. She indicated that she will be calling those who expressed interest in applying, but have not yet done so, to encourage and remind them to apply. Ms. Levy stated that the payment mechanism for Batch 14 will be a 20-year installment purchase agreement (IPA), with equal principal payments once a year, and twice yearly tax-free interest over the course of the IPA term.

Ms. Levy told the Board members that once the Batch closes, she will email them a list of the applicant properties. She also indicated that she would then be contacting them to schedule site visits to each farm. She then ran through the tentative public hearing dates to confirm Board member availability.

3) Wetland mitigation policy discussion – Ms. Levy told the Board that she received a request as to whether land under an agricultural preservation easement can be used as a wetland mitigation site. Ms. Levy stated that she would like to plan a policy discussion on this issue with the Board at their next meeting. She stated that the basic concept is similar to allowing certain environmentally sensitive areas to be used for forest conservation mitigation, and that we may want to use our forest conservation planting policy as a guide. Ms. Levy stated that the Maryland Department of Environment (MDE) is the main agency that is involved with wetland mitigation projects. She indicated that she has been researching their web site for background information to provide to the Board. Ms. Levy said that prior to the August meeting she will email Board members relevant web links regarding wetland mitigation policy for their review.

Chairman Hough adjourned the meeting at 8:45.

Joy Levy, Executive Secretary
Agricultural Land Preservation Board