

Open Work Session

Land Preservation Easement Application – Holloway Property (Littleton Farm)

June 18, 2019

Ms. Gloria Smith of the Planning and Zoning Department came before Council and said, in the past, this has been an every-other-year visit for them, but with the State's budgeting for the past two years, it looks like they are back on an annual cycle with land preservation easement applications. She said, for the first time in a very long time, she only has one new application this year. Mr. McCain said he is curious about that because he remembers in the past it was always such a backlog with applicants, to which Ms. Smith responded, she had a small list of folks who wanted an application, but when she sent them out, several of them were not returned. She said this is a new application, and she has a couple of other applications to send in that are repeats that have not been funded, but this is the only new one she has this time. She said it is for a farm in Hebron on Ocean Gateway that has been reviewed by the Ag Advisory Board and the Planning and Zoning Commission, it exceeds the minimum land area of 50 acres, it meets or exceeds the minimum soils criteria the State requires, and it meets the requirements of the program as recommended by the County's Comprehensive Plan for its location. She said, in the past with new applications, they had Council review them at a Public Hearing, so they notify adjoining property owners that this request is being made, and a Resolution is included to go with the package to the Maryland Agricultural Land Preservation Foundation (MALPF) program. She said today she is asking Council to let them proceed with scheduling a Public Hearing so they can get it on the regular Agenda.

Mr. McCain said he has a question, but it is not directly related to this because he is fine with it, and he thinks they should definitely add this, and proceed with the Public Hearing. He then asked if the MALPF folks have done anything to address the impervious surface issue. He said, for example, a lot of people do not realize, but with older easements they can do a large scale poultry operation on a land preservation easement, and they have had that happen in the County. Ms. Smith said they have not addressed that. She said there are a few easements in the County where there are restrictions on that, but those were applications where the easement was purchased partially with Federal Farm and Ranch (FFRP) funds at the time the State was acquiring those funds. She said, if they were purchased with that money, because of the FFRP requirements, there are impervious surface restrictions, but otherwise, MALPF has not done anything else. Mr. McCain said he is just surprised they have not because, if they cannot develop it, they cannot develop it. Ms. Smith said, when a landowner does that, it takes land out of production, but that is still an agricultural operation even though it takes the land out of actual cultivation. She said it is an actual agricultural operation, so it meets MALPF's criteria.

Mr. Cannon asked if Council is fine with moving forward on this, to which there was a consensus. Mrs. Hurley said they can have that Public Hearing on July 16 at 10 a.m. because it has to be advertised two times. There was no further discussion.

Signatures on next page

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John T. Cannon, President

 absent 

Larry W. Dodd, Vice President, District 3



Ernest F. Davis, District 1



Josh Hastings, District 4



Joe Holloway, District 5



William R. McCain, At-Large



Laura Hurley, Council Administrator