



HOWARD COUNTY OFFICE OF COMMUNITY SUSTAINABILITY
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**HOWARD COUNTY AGRICULTURAL PRESERVATION BOARD (APB)
AND STATE AGRICULTURAL PRESERVATION ADVISORY BOARD (APAB)**

April 25, 2022

Attendance:

Board Members: Mickey Day
Cathy Hudson
Jamie Brown
Abby Gibbon
Savannah Kaiss

Staff: James Zoller, Executive Secretary/Agricultural Coordinator (OCS)
Joy Levy, Program Administrator, (ALPP)
Matthew Hoover, Administrative Aide, (OCS)
Morenike Oyenusi, Senior Assistant County Solicitor
Beth Burgess, Chief, Resource Conservation Division
Kathy Johnson, Director of Agriculture Business Development
Mary Kendall, Deputy Director (DPZ)

Guest: Teresa Stonesifer
Denise Dixon
Henry Barrow

Action Items

1. Minutes from the meeting of March 28, 2022

Ms. Kaiss motioned to approve, and Mr. Brown seconded the motion. All members in attendance voted in favor for approval of the March 28, 2022 Minutes.

2. Request for Approval, Water Resources Overlay, Barrow Family, LLC property, 13-13-01, 115 +/- acres and Oakland Farms Associates II LP property, 13-81-03Ce, 71 +/- acres (APAB) ([Staff Report](#)) ([HoCo Soil Conservation District approval Letter](#))

The request is for a Water Resources Conservation Overlay Easement. Ms. Levy reviewed the staff report with the Board and showed the location of the request using the maps provided with the report. There are two properties involved with the request and the location is the north and south sides of Old Frederick Road, east of its intersection with Forsythe Road. Both properties are involved with the MALPF program. The Staff

recommends that the APAB recommend approval of the request to create a Water Resources Conservation Overlay easement, subject to MALPF Board approval.

An extensive GIS site search was completed, and it identified the Barrow's properties as a match for what they were looking for. Their goal is to restore the ecological system by creating a symbiosis between the agricultural practices and the BMPs on the farm. They are still collecting data from the site and determining how they can do that. This will also create commercial stream credits and wetland credits. The credits would be used in accordance with the MALPF policy.

There is a pond that they want to keep for open water use, so that was taken out of the conservation easement. They would be working around that feature, so that is why there is a limited buffer around that area. There is also another zero-buffer area, because of a spring they want to remain in use for agricultural purposes.

Mr. Brown motioned to approve, and it was seconded by Ms. Kaiss. Mr. Brown, Ms. Kaiss and Ms. Gibbon voted in favor of the request and Ms. Hudson was not in favor of the request. The motion passed.

3. Request for Advisory Comments, Alteration to Approved Buffer on Commercial Solar Facility (CSF), Triple Creek LLC property, HO-89-07-E, 92.4 +/- acres (APB) ([Staff Report](#))

Ms. Levy reviewed the Staff Report and its contents with the APB. The request comes from Triple Creek Farm Properties LLC and the request is for a review of and alteration to the buffer for Triple Creek Farm's solar facility. In June of 2018, the Board recommended approval of a 27.54-acre solar facility (CSF) on the Triple Creek property. The Hearing Examiner approved the Conditional Use for the CSF on April 14, 2020 and the Site Development Plan (SDP) was approved by DPZ on 6/17/21. The SDP required a "Type D" buffer along the entire periphery of the CSF area. The current request is for the APB to review a proposed alteration to the buffer requirement and to provide advisory comments to the Howard County Hearing Authority.

Ms. Stonesifer stated, that due to the lay of the land and the proximity of the CSF to the property lines, stream, wetland buffers and other features, that the required buffer on the west and north boundaries will severely restrict the access her cattle would have to various pasture areas around the farm. The Staff recommends that the APB provides supportive advisory comments to the Hearing Authority to remove the buffer on the north and west CSF boundaries.

The Board reviewed the map and some pictures that the applicant provided. They also discussed the stormwater requirements and pictures were shown of the work being done for stormwater management too.

Mr. Brown motioned to approve the recommendation of removing the buffer from the north and west side of the property and it was seconded by Ms. Hudson. All board members in attendance approved of making the recommendation for the removal of the buffer from the north and west side. The Board is going to include in the recommendation that they believe the impact that the stormwater management has had on the property owners was not expected and is encroaching upon the land that they use to operate sufficiently.

A suggestion was made to have someone come in from DPW to explain the stormwater management process and requirements.

Discussion Items

1. Program Updates

The O'keefe property is going to go to council in June.

Barbara Spence has applied for the MALPF program again and is going to council in June.

There are few properties in various stages of the Agricultural Land Preservation Program application process.

Mr. Day's term is up in April, but he can stay on until a replacement is found. Denny Patrick has resigned from the Board.

Public Testimony

No public testimony.

Meeting Adjourned

Mr. Brown motioned to adjourn, and Ms. Kaiss seconded the motion. All Board Members were in favor of the meeting adjournment. The meeting adjourned at 8:31 PM.