

**CECIL COUNTY COMPREHENSIVE PLAN OVERSIGHT COMMITTEE  
AGRICULTURE, PRESERVATION and MINERALS (APM) SUBCOMMITTEE  
MEETING MINUTES  
March 7, 2008**

**Attendance**

<b>Member</b>	<b>Present</b>
Diana Broomell	X
Shawn Day	X
Sandra Edwards	
Phyllis Kilby	
Daniel Polite	X
Vic Priapi (Vice Chair)	X
Owen Thorne (Chair)	X
John Bennett	X
Donna Deckard	
Robert Hodge	X
Rupert Rossetti	X

<b>Other Attendees</b>	<b>Affiliation</b>
David Almquist	County Extension Director Extension Agent, Agriculture and Natural Resources, University of Maryland Cooperative Extension Cecil County
Anthony J. DiGiacomo	Principal Planner, Cecil County
Eileen Butler	Concerned Citizen on COC

**Call to Order** – Friday, March 7, 2008 at 2:05 p.m., Rising Sun Room, Second Floor, County Administration Building, 200 Chesapeake Blvd., Elkton.

**Approval of Minutes** – Accepted with one change: “Kilby Creams” to “Kilby Cream”

**Old Business -**

**Scheduling of Meetings** - Subsequent meetings to be held on 2<sup>nd</sup> Thursdays of the month at 6:30 p.m., location TBD, beginning after April and continuing with every other month until completed. April meeting will be either the 10<sup>th</sup> or 17<sup>th</sup> at 6:30 p.m.

{Chairman’s note: Since this meeting, several members have said the 10<sup>th</sup> is bad, so we will meet on the April 17<sup>th</sup>, at the County Admin Bldg, 6:30 p.m.

I also received confirmation that June 12<sup>th</sup> APM subcommittee meeting can be held at the Ranger Station per subcommittee decision. 6:30 p.m. Location: Maryland DNR Forest Service, Elk Neck State Forest, 130 McKinneytown Road, North East, MD 21901 (410) 287-5675 Thanks to DNR staff for welcoming us. O.T.}

**Agro-business zoning update** – Town of Cecilton updated proposed agro-business zoning to include right to farm language. Possible adoption of zoning designation by Town of Cecilton in April. Mayor John Bunnell agreed to speak to COC Ag/Mineral Sub Committee regarding possible adoption of agro business zoning for Cecil County. COC Subcommittee agreed to invite Mayor Bunnell, as well as Representatives of the Eastern Shore Land Conservancy, Cecil Land Trust, American Farmland Trust and others for a roundtable or panel discussion for the April meeting.

**Timber, Forest Industry Legislation** – To clarify proposed legislation to promote no net loss of forest in the County and in the State, John Bennett provided the bill references:

HB 1552, Sustainable Forestry Act of 2008;  
<http://mlis.state.md.us/2008rs/bills/hb/hb1552f.pdf>

HB 1253/SB 844, Chesapeake and Atlantic Coastal Bays Critical Areas Protection Program;  
<http://mlis.state.md.us/2008rs/bills/hb/hb1253f.pdf>

HB 369/SB 213, Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund;  
<http://mlis.state.md.us/2008rs/bills/hb/hb0369f.pdf>

The Maryland General Assembly website is [www.mlis.state.md.us](http://www.mlis.state.md.us). The legislation will go from local to more state controlled planning. Administration trying to create more of an industry for timber and manage cultivation more scientifically. John Bennett handed out maps on forestry area in County and a map on the estimated potential value of forest to water quality in Cecil County.

Rupert Rossetti proposed contacting Randy Hutton (farmer, 1,400 acres on the Eastern Shore in Cecil, Kent and Queen Anne’s County) and a new addition to the COC, to ask him if he is willing to stand for appointment to COC Ag/Mineral Subcommittee. This proposal helps to address Mr. Hodge’s concern that not enough farmers were represented on the committee. Committee members in attendance were in agreement we invite Mr. Hutton.

#### **New Business –**

David Almquist (County Ext. Director and Ext. Educator, Agriculture and Natural Resources) invited because of newsletter (Handout #1) regarding ideas on preserving farming. Need more support education for farms, extension is only one path. Technology needs to be supported. Need to update ordinances to support farming. Handout #2 is “Why Comprehensive Planning is Important to Farming. Encourages farmers to get involved in planning process. Handout #3, Midshore Perspective – zoning is moving in the same direction as Talbot County which will endanger farming. Handout #4, How TDR Works – Transfer of Development Rights has to be profitable. #5, “Costs for Farming. Difficult to make money when costs are high for farming. *Further comments from Mr. Almquist, submitted following the meeting, circulated to members then appended here include:*

*1. The Soil Conservation District and the Natural Resources Conservation Service are almost to release with a new soils map of Cecil County that will show soils and their production potentials in digital format. Using these maps or even the old book form soils maps for the County, a planner could identify the most productive farmland in the County for consideration for agricultural land preservation.*

*2. Most forests in the County are on land that was not agriculturally productive. Consequently that land was allowed to return to forest or it was not cultivated in the first place. Although I will agree that forestry is an important land use in Cecil County, and that forests are valuable for many aspects of environmental quality, it is unlikely that prime soils will be used for forest / timber production.*

3. *The citizens of Cecil County need to decide what they want the County to be like after 20 or 40 or 60 or 80 years. This is a cause and effect relationship between comprehensive planning, implementation of the plan through zoning laws and careful enforcement and the way the County's landscape evolves over time.*

4. *Even if we could somehow guarantee that farming would be profitable, we could not with this guarantee, prevent good farmland from being developed for residential, industrial or commercial uses.*

5. *Agricultural land in Cecil County will be developed for other uses to the full extent that the zoning allows as soon as the economics and farm ownership dynamics are right for this to happen. In order that we be honest with ourselves we should designate Agricultural zones that include development as "Development Zones", and then designate a maximum allowed density.*

6. *It is my observation that the only fair way to preserve farmland for the "very long run" is through a zero development allowed by zoning classification coupled with the option to sell development rights. The sale price of the development rights plus the agricultural or residual value of the land must be equal to or greater than the speculative value of the land.*

7. *One way to pay for the purchase of development rights is to require that ALL new development in the County purchase development rights from land owners in restricted development agricultural zones. Then people buying houses in the County will be paying for preserving the farmland The Devil is in the Details as to how to devise such a plan.*

8. *Once farmland is preserved we still need to make every effort to make our zoning laws compatible with profitable farming.*

9. *Planning decisions should be based on existing natural resources and infrastructure, foreseeable funding and available technologies. If accommodating projected population growth exceeds the carrying capacity of natural resources and infrastructure, causing environmental degradation and a poor quality of life, even when available funding and technologies are applied then the growth must be redirected, or the time frame for the growth must be extended.*

Need to look for a map of the long term easements. Check the Conservation Reserve Enhancement Program (CREP) Maps.

If farmers can make more money selling land, we will lose the farms. Members and guests discussed difficulty making farming profitable. Need to react to global market of supply and demand. China and India have run the price up on corn. Marginal land doesn't yield as much. Must come up with creative ways for farmers to make money. Grass for biomass a possibility?

Subcommittee and guests discussed Green Fund to pay \$50 million to control runoff from farms. Identify areas most in need for pollution remediation. Argument as to who would enforce program, which committee? Pertains to non point sources, not for water sewer treatment plants. Green fund is a matching grant program. Funds to control nutrient

management. May be moot as due to State economic woes, amount likely to be reduced, delayed or deleted by events overtaking legislators and administration in Annapolis.

Use ideas on county level. Certain types of farming will have different types of economic advantages. Change will occur depending on economic viability and we need new and alternative enterprises. Most profitable farming is not corn but farmers feel safe in planting the same crop each year. Most profitable is chickens and horticulture. Land has different characteristics and thus value north and south of corridor (fall line.) Land north and west of growth corridor is richest ground. Crops best in South.

Land developed at 10 units per acre or greater create problems/costs to support transportation. Current 1-10 zoning and even 1-20 deludes us that it is preserving farms as these farms are less likely to be sustainable economically. Mixed ag and res=idential use in even our most stringent protection districts leads to conflicts between farming and residential landowners. Zoning is NAR and SAR the -R being residential, so all non-preserved acreage in Cecil County is developable. New Ag only or Ag business zoning designations could help preserve farm economy and forestry as well. We have such zoning for mining areas.

Give and take on meeting needs of ag preservation and forestry. Wild life action plan needs to be implemented along buffer zones in critical areas. Preservation of farmland more feasible with viable TDR Program and downzoning lands further coupled with new zoning designations and stronger protection against residential outside the growth corridor.

Discussion continued. General agreement that zoning and subdivision regulations need to be strengthened and better enforced to successfully preserve ag industry and to meet the intent of the Resource Conservation and Protection Districts. Property rights should be limited to what is permissible in the district. There is contradicting language on the intent of the Resource Conservation and Protection Districts. While it explicitly states low residential development in the Comprehensive Plan, other regulations and zoning isn't as clear. Need to make sure language is consistent in other documents. Important to meet goal of preservation of farming even if we limit allowing landowners to sell farms to highest bidders for housing. Stronger disincentives against residential development of farms could help.

Rupert Rossetti suggested buying and preserving stream and wetland buffers for an incentive to developers. Discussion ensued with ideas including some kind of trade arrangement, incentives, might be possible to earn credits towards nutrient caps. By 2030, population expected to be 160,000 (before down zoning) or 159,050 (post down zoning). Not sure with the critical area water resource element if the growth corridor can accommodate the growth.

Allegheny County did their Comprehensive Plan around their watershed. Doesn't have to start with population. (John Bennett) Comment by Rupert Rossetti regarding 12 digit watershed. Important what kind of watershed Cecil County is regarded as.

Value of forestry is contiguous forestry (wildlife, air quality, watersheds). Worries that saving farms could cost forests due to inability or unwillingness to slow residential growth. Limited supply of land. Discussion ensued. Mineral resources should invite Gary Stewart, Mike Vaughn, others? Mineral as a business will be focus. Mineral extraction need

buffers next to residential areas. Ag and natural, and preservation areas also need more stringent buffering. No Committee looks at wildlife or ecosystem as whole. This committee agreed we should address this issue as a whole. Sensitive areas plan is on our agenda (soon?)

Invite the Ag Advisory Board, Representative from the Eastern Shore Land Conservancy (ask Sandra,) Cecil Farmland Trusts (ask Phyllis,) and Mayor John Bunnell and others?? Meeting is scheduled for Thursday, April 10 or 17, at 6:30 p.m. at the Perryville Room (?) of the Administration Building in Elkton. {April 17<sup>th</sup> at 6:30 pmO.T. }

Meeting in June will focus on forestry, wildlife and address the Green Infrastructure Study. Meeting will be at the Blackhill Ranger Station, 130 McKinney Town Road, North East on Thursday, June 12 at 6:30 p.m.

### **Recommendations/Action Items for Staff and Consultants**

- 1. Chair thanks to Mr. DiGiacomo for producing copying and distributing take home copies of several large maps denoting Cecil County mineral areas, Critical Areas, etc. Committee members wish him to bring these maps again for a future discussion.**
- 2. Find us a copy of Wildlife Action Plan (State DNR?) Green Infrastructure Study and other docs. List provided to OPZ staff. Other suggestions?**
- 3. What can we find out about using a TDR type program to preserve stream and critical area lands? Other jurisdictions? Published work?**
- 4. Who is using AG only or Ag business zoning successfully in Maryland. How does it work?**
- 5. We need to plan by watersheds, not by land ownership or political boundaries. Ideas? Looking for a map of watersheds to same scale state expects our plan to follow. 8-digits? 12-digits?**

### **Recommendations/Action Items for Oversight Committee**

- 1. Need to look for a map of the long term easements. Check the Conservation Reserve Enhancement Program (CREP) Maps.**
- 2. Rupert Rossetti proposed contacting Randy Hutton (farmer, 1,400 acres on the Eastern Shore in Cecil, Kent and Queen Anne's County) and a new addition to the COC, to ask him if he is willing to stand for appointment to COC Ag/Mineral Subcommittee.**
- 3. Gather guests for April 17<sup>th</sup> 6:30 meeting on sustaining farm industry, preserving and protecting farms and rural agricultural areas, Protection from urban encroachment.**

**4. Look into a Forestry, Sensitive Area, Wildlife, Ecosystems panel for our June 12<sup>th</sup> meeting. Speakers followed by panel discussion. MD heritage Program? Ken and Tom for Wildlife?**

**5. Look into a similar Minerals Panel for a future panel discussion. (TBD date)**

**Adjournment: 4:45 p.m.**

**Next meeting: see old business above.**

**Minutes Prepared by: Diana Broomell**

**Date: 3/10/08**