

Office of the County Executive

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CECIL COUNTY, MARYLAND

Division of Planning and Zoning
200 Chesapeake Boulevard, Suite 2300, Elkton, MD 21921

Agricultural Preservation Advisory Board

**Meeting Agenda
January 14, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be a January meeting of the Agricultural Preservation Advisory Board.

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Agricultural Preservation Advisory Board

**Meeting Agenda
February 11, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be a February meeting of the Agricultural Preservation Advisory Board.

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Agricultural Preservation Advisory Board

**Meeting Agenda
March 11, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be a March meeting of the Agricultural Preservation Advisory Board.

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Agricultural Preservation Advisory Board

**Meeting Agenda
April 8, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be an April meeting of the Agricultural Preservation Advisory Board.

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Agricultural Preservation Advisory Board Meeting Minutes

May 13, 2021
Online via Zoom

Members Present: Anderson, Norm; Hastings, Shelley (Vice Chair); Miller, Bob (Chair)

Others Present: King, Devyn (Department of Land Use & Development Service, Division of Planning & Zoning); Steve O'Connor (Department of Land Use and Development Services)

Call to Order

The meeting was called to order at 7:04 PM by Chairman Miller.

Meeting Minutes

A motion was made by Hastings, seconded by Anderson to approve the November 2020 Open Session meeting minutes. The motion was approved by a unanimous vote.

Announcements

Ms. King provided updates on the MALPF Program, including the accepted F2021 offer and landowner requests. She also informed the Board that inspections of MALPF easements for the 2021 year were underway.

Action Items

- 1) 07-01-19Ac – Sandy Bottom Preserve, Lot 1 (Lands of Levi and Fannie Fisher) – Request for Abner Ebersol to operate small commercial kennel within building envelope.**

Ms. King presented the item. On March 1, 2021, the Cecil County Division of Planning & Zoning received a Special Exception Application for Abner Ebersol to operate a commercial kennel on the Levi and Fannie Fisher property located at 979 Sandy Bottom Road. The property is 81.35 acres and is further identified as Tax Map 62, Grid 7, Parcel 2, Lot 1.

Mr. Ebersol currently lives on the property and would be responsible for the operation. The kennel would be located in an existing 12' by 32' shed near the existing dwelling. The existing shed is adjacent to a small, existing fenced-in area, which will serve as the exercise area for the dogs. The existing farm lane in front of the barn will be used for parking. All structures and parking associated with the kennel fit within the 1-acre building envelope surrounding the dwelling. Mr. Ebersol plans to breed five to six dogs once per year, and will be open by appointment only.

Under MALPF regulations, if a planned commercial operation is within the 1-acre building envelope around a pre-existing dwelling, then MALPF staff can administratively approve the request, contingent upon the following:

1. The activity must meet all applicable State, Federal and County requirements associated with the requested use.
2. The activity must meet County planning and zoning regulations.
3. The County provides a map of the 1-acre area to include the entire operation (kennel, house, and parking).
4. For commercial requests within a building envelope, MALPF recommends local agricultural preservation board approval.

Cecil County permits a commercial kennel operation in the SAR zoning by Special Exception. The Special Exception request received a recommendation of approval for two years, conditioned upon following all Zoning Ordinance and Health Department regulations, from the Cecil County Planning Commission at their April 19, 2021 meeting. The Board of Appeals will review and decide on the application at their May 25, 2021 meeting. Mr. Ebersol has also applied for a kennel license from Cecil County Animal Services.

Mrs. Hastings expressed concern over ensuring good animal husbandry practices will be followed. Mr. O'Connor explained that Cecil County Animal Services will complete monitoring of the kennel as part of the licensure. The Board discussed conditioning approval upon the applicant providing copied of Animal Services monitoring reports to the Division of Planning & Zoning.

A motion was made by Anderson, seconded by Hastings, to approve the request with the following condition:

1. The applicant submit copies of their inspection reports from Cecil County Animal Services to the Planning & Zoning office, to ensure good animal husbandry practices are followed.

The motion passed by unanimous vote.

Discussion

Mr. O'Connor notified the Board that the Cecil County Farm Museum and Regional Agricultural Center plans to reopen to the public next month, and encourages Board members to plan a visit.

Adjournment

A motion was made by Hastings, seconded by Anderson to adjourn the meeting. The motion passed unanimously. Chairman Miller adjourned the meeting at 7:30 PM.

Respectfully Submitted,



Devyn King
Planner II and Cecil County MALPF Program Administrator
Division of Planning & Zoning
Department of Land Use & Development Services

underline = amended by addition
~~strikethrough~~ = amended by deletion



CECIL COUNTY, MARYLAND
Division of Planning and Zoning
200 Chesapeake Boulevard, Suite 2300, Elkton, MD 21921

Agricultural Preservation Advisory Board Meeting Minutes

June 10, 2021
Rising Sun Room

Members Present: Anderson, Norm; Ewing, Willie; Hastings, Shelley (Vice Chair); Robinson, Charlie

Others Present: King, Devyn (Department of Land Use & Development Service, Division of Planning & Zoning)

Call to Order

The meeting was called to order at 6:58 PM by presiding officer Hastings.

Meeting Minutes

A motion was made by Ewing, seconded by Anderson to approve the May 2021 Open Session meeting minutes. The motion was approved by a unanimous vote.

Announcements

Ms. King provided updates on the MALPF Program, including the accepted F2021 offer and landowner requests. She also informed the Board that inspections of MALPF easements for the 2021 year were complete.

Discussion Items

Ms. King asked the Board if they had any additional comments or thoughts on the previously presented Cecil County Purchase of Development Rights Program. The Board inquired more about the timeline and the Board's role in the program. Ms. King explained that the Board would review the applications and appraisal reports in the spring, when appraisal reports are expected to be complete.

Closed Session

A motion was made by Ewing, seconded by Robinson to enter closed session pursuant to the Maryland Annotated Code article General Provisions, Title 3 Open Meeting Act, Subtitle 3, Open Meetings Requirements, Section 305(b)(13) in order to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter. (COMAR 15.15.10 - MALPF Confidential Records). Presiding Officer Hastings announced that the Board would not return to Open Session and thus the meeting would adjourn at the conclusion of the Closed Session. The motion passed unanimously.

The Board entered closed session at 7:08 PM and discussed specific FY2022 MALPF applications and rankings to be forwarded to the MALPF program by July 1, 2021.

A motion was made by Anderson, seconded by Ewing to exit closed session. The motion passed unanimously. The board exited Closed Session and adjourned the meeting 8:27 PM.

Respectfully Submitted,

A handwritten signature in black ink that reads "Devyn King". The signature is written in a cursive style with a large, prominent "D" and "K".

Devyn King
Planner II and Cecil County MALPF Program Administrator
Division of Planning & Zoning
Department of Land Use & Development Services

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Agricultural Preservation Advisory Board

**Meeting Agenda
July 8, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be a July meeting of the Agricultural Preservation Advisory Board.

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Agricultural Preservation Advisory Board

**Meeting Agenda
August 13, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be an August meeting of the Agricultural Preservation Advisory Board.



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Division of Planning and Zoning
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Agricultural Preservation Advisory Board Meeting Minutes

September 9, 2021
Rising Sun Room Zoom

Members Present: Anderson, Norm; Ewing, Willie; Hastings, Shelley (Vice Chair); Robinson, Charlie

Others Present: O'Connor, Stephen (Department of Land Use & Development Services, Director); David McCreary & Doris McCreary (Applicants)

Call to Order

The meeting was called to order at 7:01 PM by Vice Chair Hastings.

Meeting Minutes

A motion was made by Anderson, seconded by Robinson to approve the June 2021 Open Session meeting minutes. The motion was approved by a unanimous vote.

A motion was made by Ewing, seconded by Anderson to approve the June 2021 Closed Session meeting minutes. The motion was approved by a unanimous vote.

Announcements

Mr. O'Connor provided updates on the MALPF Program, including the accepted FY2021 offer and the start of FY2022 application cycle. He also provided updates on new lands that have gone into permanent protection since the June 2021 meeting. Additionally he provided an update on the nominated person to become a new member of this board.

Action Items

McCreary Farm, LLC (MALPF File 07-06-08) – Request for Unrestricted lot

David and Doris McCreary appeared by video-teleconference to present this application. Their easement provides that one lot may be subdivided from the farm to be conveyed without additional restriction. Per MALPF policy the lot cannot be more than one (1) acre, unless County requirements require additional acreage. In that case, then the maximum shall be the minimum necessary for the lot not to exceed two (2) acres. This request is for up to two (2) acres due to the viable locations of the approved land percolation tests and the shallow depth of the underwater aquifer in the area. Mr. & Mrs. McCreary described in detail the alternatives explored but determined not to be viable throughout the farm. Areas were disqualified for various reasons including failure to perc, conflict with environmental resources, the existing easement with colonial pipeline, and access issues from County or State roads. The McCreary's further testified that the area where a dwelling was recently

demolished will return to cropland, and the size of the lot may be further reduced as the land development plans become more formalized.

A motion was made by Ewing, seconded by Robinson to recommend approval to the MALPF Board. The motion was approved unanimously.

The application will be forwarded to the MALPF Board of Trustees for their October 26, 2021, meeting.

Adjournment

A motion was made by Ewing, seconded by Robinson to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 7:35 PM.

Respectfully Submitted,



Stephen J. O'Connor, AICP
Acting Cecil County MALPF Program Administrator
Director, Department of Land Use & Development Services

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Agricultural Preservation Advisory Board

**Meeting Agenda
October 14, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be an October meeting of the Agricultural Preservation Advisory Board.

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**Meeting Agenda
November 11, 2021 at 7:00 PM**

Due to a lack of agenda items, there shall not be a November meeting of the Agricultural Preservation Advisory Board.

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Agricultural Preservation Advisory Board

**Meeting Agenda
December 9, 2021 at 7:00 PM**

Due to a lack of agenda items, there was not a December meeting of the Agricultural Preservation Advisory Board.