TITLE: FY-2020 Maryland Agricultural Land Preservation Foundation (MALPF) Applications

FILE NUMBER: #20-07 to #20-09, #20-13, #20-14, #20-20, #20-23NG, #20-29, #20-31, #20-38, #20-41, and #20-44

REQUEST: A finding of consistency with the County Comprehensive Plan.

PROJECT INFORMATION:
ADDRESS/LOCATION: multiple, see attached
TAX MAP/PARCEL:
COMP. PLAN:
ZONING:
PLANNING REGION:
WATER/SEWER:

APPLICANT/REPRESENTATIVES:
APPLICANT: multiple, see attached
OWNER:
ENGINEER:
ARCHITECT:
ATTORNEY:

STAFF: Anne Bradley, Land Preservation Admin.

RECOMMENDATION: Find consistent with the County Comprehensive Plan

ATTACHMENTS:
EXHIBIT 1- Maps (pages 4-17)
ISSUE

The request is for a finding of consistency with the County Comprehensive Plan for the FY-2020 Maryland Agricultural Land Preservation Foundation (MALPF) applications #20-07, #20-08, #20-09, #20-13, #20-14, #20-20, #20-23NG, #20-29, #20-31, #20-38, #20-41, and #20-44.

BACKGROUND

The County received 46 applications for the FY-2020 Maryland Agricultural Land Preservation Foundation (MALPF) Easement Acquisition Program encompassing 6,172 acres of land. Of the 46 applications received, 1 application is a pending MARBIDCO Next Generation property. This program helps farmers purchase farms and then gives the farmer a limited timeline to receive a permanent MALPF offer (7 years) and pay back the Next Generation funding. The MALPF Board voted to limit the number of applications to be appraised per County to twelve.

The 46 applications were reviewed by the Agricultural Preservation Advisory Board on April 29, 2019. The Advisory Board made a recommendation to the County Executive to forward the following 12 applications, including one that is a current MARBIDCO Next Generation property, to a Council Public Hearing.

<table>
<thead>
<tr>
<th>File #</th>
<th>Applicant</th>
<th>Acres</th>
<th>Priority Preservation Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-07</td>
<td>Cap Stine LLC</td>
<td>114</td>
<td>Yes</td>
</tr>
<tr>
<td>20-08</td>
<td>Antonio and Jennifer Checchia</td>
<td>152</td>
<td>Yes</td>
</tr>
<tr>
<td>20-09</td>
<td>Cobleitz Farm LLC</td>
<td>218</td>
<td>Yes</td>
</tr>
<tr>
<td>20-13</td>
<td>Evelyn M. Fry Revocable Trust</td>
<td>131</td>
<td>No</td>
</tr>
<tr>
<td>20-14</td>
<td>Frey Family LLC A</td>
<td>225</td>
<td>Yes</td>
</tr>
<tr>
<td>20-20</td>
<td>Ruby H. Grossnickle Revocable Trust</td>
<td>197</td>
<td>Yes</td>
</tr>
<tr>
<td>20-23NG</td>
<td>Brian and Kimberly Horman</td>
<td>167</td>
<td>No</td>
</tr>
<tr>
<td>20-29</td>
<td>Marks Manor LLC</td>
<td>181</td>
<td>Yes</td>
</tr>
<tr>
<td>20-31</td>
<td>Steven Edward Mehring Jr.</td>
<td>75</td>
<td>No</td>
</tr>
<tr>
<td>20-38</td>
<td>Shank Family Farm LLC</td>
<td>158</td>
<td>Yes</td>
</tr>
<tr>
<td>20-41</td>
<td>Toms Retreat LLC</td>
<td>209</td>
<td>Yes</td>
</tr>
<tr>
<td>20-44</td>
<td>Michael and Deborah VanSant</td>
<td>165</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>1,993</strong></td>
<td></td>
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</tbody>
</table>

Nine of the 12 applications are located within a Priority Preservation Area. Ten of the properties are located within the Agricultural and/or Resource Conservation Zoning District, one is located within the Town of Walkersville, and one is located partially within the Town of Burkittsville and partially within the Agricultural and/or Resource Conservation Zoning District. Additionally, all applications are designated as Agricultural/Rural and/or Natural Resource on the County Comprehensive Plan with the exception of the application (#20-31) located within the Town of Walkersville and is designated as Agricultural/Rural on the Town Plan adopted in 2011. A Countywide map of the 12 applications overlaid on the County Comprehensive Plan map is attached as Exhibit 1.

Applications located within one-mile of a municipality that have not been previously referred to the municipality were forwarded for comment. Walkersville previously reviewed application #20-31 (Mehring) and voted to support the application. Applications #20-08 (Checchia) and #20-41 (Toms) were referred to the City of Frederick and the Town of Walkersville. The Shank Family Farm (#20-38) application was forwarded to the Town of Myersville for review and the Ruby H. Grossnickle Revocable Trust (#20-20) was forwarded to the Town of Burkittsville for review. Comments received will be forwarded to the Commission.
RECOMMENDATION

Staff recommends a finding of consistency with the County Comprehensive Plan on applications #20-07, #20-08, #20-09, #20-13, #20-14, #20-20, #20-23NG, #20-29, #20-31, #20-38, #20-41, and #20-44 as listed on the staff report.

PLANNING COMMISSION ACTION
MOTION TO FIND CONSISTENT

I move that the Planning Commission FIND the Fiscal Year 2020 Maryland Agricultural Land Preservation Foundation (MALPF) applications, file numbers #20-07, #20-08, #20-09, #20-13, #20-14, #20-20, #20-23NG, #20-29, #20-31, #20-38, #20-41, and #20-44 to be consistent with the County Comprehensive Plan, as listed in the staff report based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.
File #20-07- Cap Stine LLC – 114-acres on the east side of Cap Stine Rd., north of Manor Woods Rd (Tax Map 85 Parcel 56)
File #20-08 – Antonio and Jennifer Checchia – 152-acres on the south side of Liberty Rd, east and north of the City of Frederick and south of the Town of Walkersville (Tax Map 58 Parcels 2 and 299)
File #20-09 – Coblentz Farm LLC – 218-acres on the east and west sides of Holter Rd, north of Cherry Ln (Tax Map 75 Parcel 146 and Tax Map 65 Parcel 227)
File #20-13 – Evelyn M. Fry Revocable Trust – 131-acres on the west side of Fry Rd, north of Promise Ct (Tax Map 93 Parcel 48)
File #20-14 – Frey Family LLC A – 225-acres on the west side of Emerson Burrier Rd, north of Dollyhyde Rd (Tax Map 60 Parcel 30)
File #20-20- Ruby H. Grossnickle Revocable Trust – 197-acres on the east and west sides of Burkittsville Rd, partially within the Town of Burkittsville (Tax Map 74 Parcel 22)
File #20-23NG – Brian and Kim Horman – 154 acres on the east side of Olive School Rd. near Rosemont (Tax Map 92 Parcel 289)
File #20-29 – Marks Manor LLC – 181-acres on the east side of New Design Rd, west side of Buckeystown Pike, south of Greenfield Rd (Tax Map 109 Parcel 7)
File #20-31 – Steven Edward Mehring Jr. – 75-acres on the east side of Dublin Rd, within the Town of Walkersville (Tax Map 49 Parcel 14)
File #20-38 – Shank Family Farm LLC – 158-acres on the north side of Milt Summers Rd, south of the Town of Myersville (Tax Map 45 Parcel 10)
File #20-41 – Toms Retreat LLC – 209-acres on the south side of Fountain Rock Rd, south side of Retreat Rd, north of the City of Frederick and adjacent to the Town of Walkersville (Tax Map 58 Parcel 68)
File #20-44 – Michael and Deborah VanSant – 165-acres on the west side of Woodville Rd, north of Harrisville Rd (Tax Map 71 Parcel 41)