TITLE: FY-2017 Frederick County Installment Purchase Program (IPP) Applications

FILE NUMBER: N/A

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
STAFF REPORT

ISSUE

The request is for a finding of consistency with the County Comprehensive Plan for IPP applications #17-01 to #17-19.

BACKGROUND

The Frederick County Installment Purchase Program (IPP) was created in 2002 to supplement local land preservation efforts and to provide an attractive alternative to existing land preservation programs. The IPP Program utilizes a dedicated revenue source, a portion of the local recordation tax collections, to make offers to landowners for permanent preservation easements. Since 2002, the County has permanently preserved 119 farms on 18,167 acres.

The County received 34 applications for the FY-2017 Installment Purchase Program (IPP) Easement Acquisition Program encompassing 5,038 acres of land. These 34 applications include 17 new applications on 2,406 acres with the remaining being re-applications from previous years. Preliminary estimates are that approximately 1,000 acres of easements could be purchased at the full value as determined by the ranking system. For this reason staff is only forwarding the top 18-ranked applications to a public hearing for consideration by the County Council. These 18 applications would encompass 3,518 acres of land.

Several of the top 18-ranked applications have been reviewed by the Planning Commission in previous application cycles. Staff has included all 18 of the applications for a more detailed review due to the fact that many applications in the FY-2017 cycle are new, and because some of the applications that have been previously reviewed by the Planning Commission are of interest with respect to the County’s Comprehensive Plan.

County Comprehensive Plan

All of the applications, with the exception of the Lehigh (#17-06) and Nicodemus (#17-10) properties are designated Agricultural/Rural. The Lehigh property is designated Mineral Mining, while the Nicodemus property is designated Agricultural, but on the Town of Walkersville’s Zoning Map because the property is located within the Town of Walkersville. Furthermore, twelve applications (#17-01, #17-02, #17-03, #17-04, #17-05, #17-08, #17-09, #17-14, #17-16, #17-17, and #17-19) are located within a Priority Preservation Area (PPA). All of the properties are zoned Agricultural and/or Resource Conservation with the exception of #17-06 (Lehigh) which is zoned Mineral Mining.

Applications within proximity to municipalities were forwarded to the municipality for comment.

Lehigh (#17-06)- The Lehigh application consists of 302.5 acres and is located on Repp Rd (map attached). The property is zoned for Mineral Mining because it is owned by the aggregate corporation. However, the property is rented to a local farmer and it is Lehigh’s intention to maintain this property in agricultural use in perpetuity. The application ranks #6 due to its size, development potential, tillable cropland acres, and it’s adjacency to a large block of preserved land. While staff would note that a preservation easement on this property would not be consistent with the Mineral Mining designation on the property, it could be designated Agricultural/Rural in future Comprehensive Plan updates should an easement be placed on the property. For that reason, staff is recommending this application be found consistent with the County Comprehensive Plan.
Nicodemus (#17-10)- The Nicodemus application consists of 48.8 acres and is located on the north and west side of Woodsboro Pike (map attached). The farm is bordered to the west by the Monocacy River, and lies within the Town of Walkersville. The property is designated as Agricultural on the Town of Walkersville’s Zoning map. The Town of Walkersville is aware of the property’s agricultural preservation easement application, and would approve of an agricultural preservation easement being placed on this property. For these reasons, an easement on this property would be consistent with the County Comprehensive Plan.

Staff included individual maps for all 19 of the properties.

RECOMMENDATION

Staff recommends a finding of consistency with the County Comprehensive Plan on applications #17-01-#17-19.

PLANNING COMMISSION ACTION

MOTION TO FIND CONSISTENT

I move that the Planning Commission FIND the Fiscal Year 2017 Frederick County Installment Purchase Program (IPP) applications, file numbers #17-01 to #17-19 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.
EXHIBIT 1

FY 2017 Frederick County Installment Purchase Program (IPP) Applications Shown with Frederick County Comprehensive Plan
Frederick County, Maryland

Planning & Permitting Division
February 27, 2017
Frederick County GIS

Projection: NAD 1983 StatePlane Maryland North FIPS 3209 Federal

This map is to be used for informational purposes only and should not be used for surveying, engineering, or site-specific analysis.
17-01- Snouffer Farm, LLC
408.7 acres consisting of multiple contiguous parcels, located on the west side of New Design Road and the east side of Pleasant View Road.

17-02- Mills, Roger
154.8 acres located on the east side of New Design Road and on the west side of Buckeystown Pike. The property also borders the Adamstown growth area.
17-03- Mangiafico, Joseph
233.5 acres consisting of two separate, non-contiguous parcels. The northern parcel is located on the east side of Old Hagerstown Road and on the north side of Myersville Road. The southern parcel is located on both sides of Old Hagerstown Road. The property also borders the Myersville growth area.

17-04- Stevens, Robert et al.
148.5 acres located on the west side of Clemsonville Road and on the south side of New Windsor Road.
17-05- Frey Agricultural Products
648.9 acres consisting of multiple separate parcels in different areas of the county. The map below highlights (in red) two of the four properties in Frey Agricultural Products’ application. The farm to the west is located on the east side of Masser Road and on the north side of Sundays Lane. The farm to the east is located on the north side of Sundays Lane and on the west side of Catoctin Mountain Highway. This farm also borders the community growth area north of Frederick City.

The property pictured below, one of the four properties in Frey Agricultural Products’ application, lies on the west side of Emerson Burrier Road.
The property pictured below, another one of the four properties included in Frey Agricultural Products’ application, is located on the west side of Sams Creek Road and on the north side of Oak Orchard Road.

17-06- Lehigh Cement Company
302 acres located on the west side of Repp Road.
17-07 - applicant no longer active
17-08 - Worthy View Farm, LLC c/o David Esworthy
153 acres located on both sides of Sumantown Road, on the west side of Old Middletown Road, and on the east side of Carroll Boyer Road.

17-09 - Cap Stine, LLC
114.1 acres located on the east side of Cap Stine Road.
17-10- Nicodemus, John & Ellen
48.8 acres located on the west side of Woodsboro Pike within the municipal boundaries of the Town of Walkersville. The property borders the Monocacy River and the community growth areas for both Walkersville and Frederick City.

17-11- Sandy Run Farm
193.5 acres located on the east side of Hessong Bridge Road.
17-12- Kolb, Charles
140.1 acres located on the south side of Blacks Mill Road and on the north side of Spahrs Quarry Road.

17-13- Toms, Gloria
334.5 acres consisting of multiple separate, non-contiguous parcels. The properties are located on the south side of Gas House Pike, and on both sides of Linganore Road. The applicant’s property borders both the Monocacy River and the community growth boundary on the east side of Frederick City.
17-14- Rabaiotti, John & Ally
18.1 acres located on the west side of Haughs Church Road and on the north side of Woodsboro Pike.

17-15- Gates, Nancy
67.8 acres consisting of several contiguous parcels located on both sides of Creagerstown Road.
17-16- Butler, Mark
104.9 acres located on the north side of Jefferson National Pike and on the west side of Saint Marks Road.

17-17- Lakin, Thomas & Angela
39.71 acres located on the west side of Shank Road and on the north side of Old National Pike.
17-18- Wivell, Michael
255.4 acres consisting of several, contiguous parcels located on both sides of Sixes Bridge Road, on the south side of Dern Road, and on the east side of Bollinger Road.

17-19- Burdette Elaine
151 acres located on the west side of Barnes Road and the south side of Oak Orchard Road.