



---

HOWARD COUNTY OFFICE OF COMMUNITY SUSTAINABILITY  
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-0700  
[www.howardcountymd.gov](http://www.howardcountymd.gov) FAX 410-313-3390 TDD 410-313-2323

---

**HOWARD COUNTY AGRICULTURAL PRESERVATION BOARD (APB)  
AND STATE AGRICULTURAL PRESERVATION ADVISORY BOARD (APAB)**

**November 25, 2019**

**Attendance:**

Board Members: Mickey Day (Chair)  
Savannah Kaiss  
Cathy Hudson  
Ann Jones (Vice Chair)  
Denny Patrick  
Jamie Brown  
Abby Gibbon

Staff: James Zoller, Executive Secretary/Agricultural Coordinator (OCS)  
Joy Levy, Administrator (ALPP)  
Lisa O'Brien, Senior Assistant County Solicitor  
Beth Burgess, Chief, Resource Conservation Division

Guest: Rand Griffin  
Chandler Denison  
Chuck Sharp  
Teryn Risser  
Frances Yukas  
Jim Morris  
Cynthia Hereth  
Edward Hereth  
Marc Hereth  
Ted Mariani  
Howie Feaga  
Keith Walker

**Action Items**

**1) Minutes from the meeting of October 28<sup>th</sup>, 2019**

No corrections or additions. Mrs. Hudson motioned to approve, and Ms. Kaiss seconded the motion. All members approved the minutes.

**2) Request for Approval, Tenant House, Cedar Lane Farm II, LLC, HO-91-03-E, 59.68 +/- acres (APB)**

Ms. Levy reviewed the tenant house request with the Board and went over the [Staff Report](#).

There were a few questions asked about the intentions for the principal dwelling they currently have and if the tenant house could become the principal dwelling. Their intention is to use that house for some of the people that are doing the work there and the tenant house could become the principal dwelling.

Mr. Brown motioned to approve, and Mr. Patrick seconded the motion. All Board members approved the request.

**3) Request for Approval, Unrestricted Lot, Principal Dwelling and Tenant House, AFS Farm, LLC, HO-16-01-E, 58.7 +/-acres (APB)**

Ms. Levy reviewed the request with the board and went over the [Staff Report](#).

**The release of one unrestricted lot** – It was asked why the location of the unrestricted lot was chosen. The Board was advised it utilizes the existing driveway and is adjacent to the existing property. They tried to find a perc on the road but there are none.

Mr. Brown motioned to approve, and it was seconded by Mr. Patrick. All members were in favor of approving the unrestricted lot request.

**Re-designation of the existing principal dwelling as a tenant house** – The Board was advised that it is allowable to have a tenant house on the parcel without a principal dwelling.

Ms. Kaiss motioned to approve the request and it was seconded by Mr. Brown. All members were in favor of approving the request.

**The construction of a new principal dwelling** – The Board was advised the area was chosen for the lot because it would save them from putting in another driveway and there are already utilities in that area.

It was asked, if they give the approval of the location of the principal dwelling does it have any time limit on it. The Board was advised there is no time limit. The Board discussed the location of the request and other location options.

Mr. Brown motioned for approval and it was seconded by Mr. Patrick. Mr. Day, Ms. Kaiss, Ms. Jones, Mr. Patrick, Mr. Brown and Ms. Gibbon approved the motion. Ms. Hudson was against the motion for approval. The request for approval passed six to one.

**4) Request for Approval, Water Resources Overlay, Idiots Delight properties, 13-79-03A&B, 179.3 +/- acres (APAB)**

Ms. Hudson, Mr. Brown, Ms. Gibbon, Ms. Jones, and Ms. Kaiss represent the State Agricultural Preservation Advisory Board (APAB).

Ms. Levy reviewed the [Staff Report](#) and representatives from Johnson, Mirmiran and Thompson (JMT) provided details about the project.

The easement overlay would be using the US Army Corp Baltimore District's template. There would not be timber operations unless they are part of management of the forest and there would be invasive species removal. Hunting, fishing and general recreation would be allowed. They would not allow anything that would disturb the eco-system.

The Board was advised that if any areas needed crossings that they can break the easement and install it. The Board asked if horse trails would be allowed through it and they were advised they have similar project where horse trails are permitted. It was asked if this is a mitigation bank and it was advised that it was a mitigation bank for development projects. JMT worked with the MALPF policy to make sure that the overlays are consistent with their mission and statues.

Mr. Brown motioned to recommend it to MALPF board for review and the motion for recommendation was seconded by Ms. Kaiss. All State Advisory Board members in attendance approved the recommendation.

## **Discussion Items**

### **1) Review and Comment, Commercial Solar Facility (CSF), Hobbs property, HO-89-01-E(S1), 51 +/- acres (ALPB)**

Ms. Yukas of Turning Point Energy and Mr. Hobbs, who was on the phone, wanted to informally approach the APB about a CSF they are trying to build on the Hobbs' 51-acre property. They wanted to present the project to the APB and see if they would consider reviewing the request using the prior APB Commercial Solar Facilities Policy. They started working with DPZ in July of 2019.

The Board advised Ms. Yukas and Mr. Hobbs that they don't plan on altering the CSF policy at this time. They were advised that the Board doesn't approve or deny the request but are writing recommendations or concerns. Ms. Yukas and Mr. Hobbs were advised that the Board makes advisory comments to the hearing examiner through DPZ. They were advised it is perfectly within their right to formally bring the request to the board.

### **2) Program Updates**

The Howard County Council is completing interviews for the Hearing Examiner position.

The APB needs to appoint two members for the Solar Task Force. Mr. Brown and Ms. Hudson were appointed to represent the APB.

The Robb property went to settlement with MALPF.

Stonesifer (Triple Creek Farm) CSF request was reviewed by the Board of Appeals and they received a conditional use approval.

### **3) Proposed Changes to ALPP Scoring System**

Ms. Levy reviewed the information that she sent out to the Board prior to the meeting. A revised formula in tracked changes format that reflected what they discussed, and some additional updates were provided. There was a document for a draft of the Board points with tracked changes and a clean version of it too. She also provided some previous scoring sheets too.

Ms. Levy and the Board reviewed each category from the current scoring sheet. They updated points in some categories, removed some categories and added some categories. They also added the Board discretionary points which would be bonus points the applicants could receive outside of the main scoring sheet.

## **Public testimony**

Mr. Mariani addressed the board about the Solar Task Force. ([Testimony](#))

Ms. Jones motioned to adjourn and seconded by Mr. Brown and all members approved the motion.