



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

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

August 24, 2020

Attendance:

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

Staff: James Zoller, Executive Secretary/Agricultural Coordinator (OCS)
 Joy Levy, Program Administrator, (ALPP)
 Beth Burgess, Chief, Resource Conservation Division
 Matthew Hoover, Administrative Aide, (OCS)
 Mary Kendall, Deputy Director, (DPZ)

Guest: Susan Scheidt
 Chuck Sharp
 Frances Yuhas
 R. Allan Ewing

Action Items

1) Approval of minutes from the meeting on July 27, 2020

No changes or corrections. Ms. Hudson motioned to approve, and Ms. Jones seconded the motion. All members in attendance approved the Meeting Minutes from 7/27/20.

2) Request for Recommendation on Easement Acquisition, Sharp property; 24.3 acres (APB)

Ms. Levy reviewed the [staff report](#) with the Board. The request comes from the contract purchaser Allan Sharp who is the son of the contract seller Chuck and Denise Sharp. The Sharps are applying to bring the property into the Howard County Agricultural Land Preservation Program (ALPP).

Ms. Levy reviewed some key points of the scoring sheet and the other documents included with the Staff Report. She reviewed each number and explained the reasoning of why the points were recommended. The

Staff recommendation is that the application meets all eligibility for acquisition of an agricultural preservation easement. Staff recommends approval.

Mr. Day reviewed the Draft of the Sharp's Agricultural Preservation Board Points section of the scoring sheet that could be awarded and reviewed Ms. Levy's recommendations. For one through four of this section there were no comments or recommended changes.

The board reviewed number five which is the APB discretionary points for a maximum of 10 points. Mr. Brown motioned to give the Sharps 10 points for number five of the discretionary points. It was seconded by Ms. Jones. All members in attendance approved the motion to add the 10 discretionary points. The motion passed.

Mr. Brown motioned to accept the price formula worksheet scoring for the entire property. Ms. Jones seconded the motion and all members in attendance approved the motion. The motion passed.

Ms. Levy advised the Board and the Sharps of the next steps for the acquisition request.

Discussion Items

1) Continue Discussion on Solar Task Force Recommendations ([Link](#)) and the ALPB Solar Policy ([Link](#))

The Board was advised that it has not gone to the County Council yet and there has been no feedback from the County Executive or the County Council.

Mr. Zoller pulled up the Solar Task Force recommendations and reviewed the recommendations that pertained to the APB. The recommendations that were reviewed were having a preliminary review of the Commercial Solar Facility plans with the APB, making the APB policy be quantitative as well as qualitative, that the APB policy recognizes that there are three types of ground mounts and that the APB CSF policy be realistic. It also stated in the recommendations that the policy supports the intent of the Agricultural Preservation Easement which the Board felt was an important aspect of the recommendations. The Board also discussed the current steps for the process of a Commercial Solar Facilities request because they were trying to determine how a preliminary review would fit in the process.

There was also a discussion about if APB didn't recommend approval could the request still move on to the next step. It was advised that the request still could move on to the next step. The Board was advised that the APB review is for advisory comments and a recommendation.

It was asked if the Board could receive an update on the administrations plans to lessen the pressure of Community Solar on Agricultural Preservation Land, because the Solar Task Force made the recommendation to open other areas for these projects. It was also asked if Mr. Feldmark, the Office of Community Sustainability Director, could attend an APB meeting.

2) Program Updates

There are other ALPP requests that are currently being reviewed.

DPZ has a list of uncommitted properties that qualify for the ALPP and they are going to mail out a letter informing them about the program.

The most recent IPA maturation date for the installment purchase agreements was on August 15, 2020.

The County Executive has been doing some marketing of Howard County farms on social media along with help from OCS and EDA.

There is going to be pilot program on increasing deer harvesting in Howard County.

Public Testimony

Susan Scheidt – Paternal Gift Farm

Ms. Scheidt provided background of her family history and their history of their farm operations in Howard County. She is suggesting that the Board review Agricultural Preservation in Cluster Zoning open space areas for the ALPP. ([Letter](#))

Mr. Brown motioned to adjourn, and it was seconded by Ms. Jones. All members in attendance approved the adjourning of the meeting.

Meeting adjourned at 8:26pm.



Amy Gowan, Director

FAX 410-313-3467

HOWARD COUNTY
 AGRICULTURAL PRESERVATION BOARD
 July 26, 2021

Staff Report

- Owners:** Jean Dickey Intervivos Trust
 c/o Jonathan Dickey, James Dickey and Walter Johnson, trustees
 5007 Rockmere Court
 Bethesda, MD 20816
- Farm Location:** 13700 N. Forsythe Rd, Sykesville
 Tax Map 9, Parcel 93, 130.78 +/- acres
- Easement Designation:** Howard County Easement applicant
- Request:** Review by the Agricultural Preservation Board to purchase an agricultural easement
- Recommendation:** Recommendation to the County Executive to approve the purchase of an easement

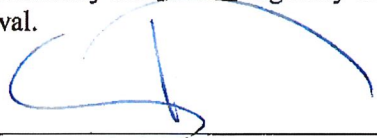
Summary:

This 130.78-acre property is primarily in a corn and soybean rotation and leased to Chuck Gingrich. There are 98 acres in tillable cropland, 31 acres in woods and 2 acres in dwellings and related farm buildings. The property contains 97% Class I, II and III soils. There is a current Soil Conservation and Water Quality Plan that is predominantly implemented. The Dickey family owns the 290-acre ALPP easement farm to the west, which has been in the Program since 1984. There is a high concentration of preserved land within 3/4 mile. The farm is improved with a principal dwelling, a bank barn and three equipment sheds.

The property is under contract and being sold to Chuck Sharp, who will assume ownership prior to easement settlement. Chuck Gingrich will continue to farm the property, at least in the short term.

Staff Recommendation:

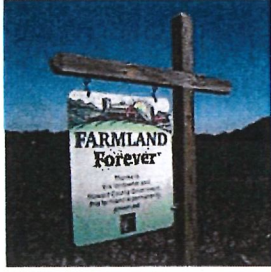
The application significantly exceeds all eligibility criteria for acquisition of an agricultural preservation easement. Staff recommends approval.

Prepared by: 
 Joy Levy, Administrator
 Agricultural Land Preservation Program

Date: 2/20/21

Attachments:

- Score Sheet
- Draft APB Points
- Aerial Photo
- Preservation Map
- Soils Map



Howard County Agricultural Land Preservation Program

2020 PRICE FORMULA WORKSHEET

Owner Dickey Tax Map 9 Parcel(s) 93
 Farm Address 13850 Forsythe Rd, Sykesville Acres 131

POINTS

1. Parcel Size Relative to Average Acreage of Remaining Uncommitted Land (40 acres)		Maximum 150 points	<u>150</u>
40 acres or more	<u>131 acres</u>	150 points	
35 acres to 39.9 acres	_____	125 points	
30 acres to 34.9 acres	_____	100 points	
25 acres to 29.9 acres	_____	75 points	
20 acres to 24.9 acres	_____	50 points	
2. Soil Capability – Percentage of Class I, II and III Soils Relative to Property Total		Maximum 150 points	<u>150</u>
90% or greater Class I, II and III Soils	<u>97.4</u>	150 points	
80% to 89% Class I, II and III Soils	_____	125 points	
70% to 79% Class I, II and III Soils	_____	100 points	
60% to 69% Class I, II and III Soils	_____	75 points	
Less than 60% Class I, II and III Soils	_____	50 points	
3. Soil Productivity as Measured by Land Evaluation Score		Maximum 150 points	<u>100</u>
90 or greater Land Evaluation Score	_____	150 points	
80-89 Land Evaluation Score	_____	125 points	
70-79 Land Evaluation Score	<u>78.5</u>	100 points	
60-69 Land Evaluation Score	_____	75 points	
Less than 60 Land Evaluation Score	_____	50 points	
4. Adjacency to Preserved Land		Maximum 125 points	<u>75</u>
75 to 100% perimeter adjacent to preserved land	_____	125 points	
50 to 74% perimeter adjacent to preserved land	_____	100 points	
25 to 49% perimeter adjacent to preserved land	<u>29%</u>	75 points	
Less than 25% perimeter adjacent to preserved land	_____	50 points	
5. Concentration of Preserved Lands		Maximum 125 points	<u>125</u>
More than 600 acres of preserved land within 3/4 mile	<u>945</u>	125 points	
400-599 acres of preserved land within 3/4 mile	_____	100 points	
200-399 acres of preserved land within 3/4 mile	_____	75 points	
Less than 200 acres of preserved land within 3/4 mile	_____	50 points	
6. Current Land Use		Maximum 150 points	<u>125</u>
90% or greater of property in agricultural use	_____	150 points	
80% to 89% of property in agricultural use	<u>88%</u>	125 points	
70% to 79% of property in agricultural use	_____	100 points	
60% to 69% of property in agricultural use	_____	75 points	
Less than 60% of property in agricultural use	_____	50 points	
7. Soil Conservation and Water Quality Plan (SCWQP)/Best Management Practices (BMPs)		Maximum 100 points	<u>100</u>
Longstanding landowner relationship with SCD, and SCWQP on the property is predominantly implemented with no major resource concerns	<u>X</u>		100 points
Landowner has relationship with SCD and has made considerable efforts to implement SCWQP on this property or another property, or landowner has implemented considerable BMPs on their own	_____		75 points
New relationship with SCD and has made efforts to implement SCWQP on this property or another property, or landowner has implemented BMPs on their own	_____		50 points
New SCWQP with no conservation or BMP activity	_____		0 points

		POINTS
8. Ownership and Operation		
Owner operated	<u> </u>	50 points
Non-owner operated	<u> </u> X	25 points
No current operation	<u> </u>	0 points
		Maximum 50 points <u> </u> 25

SUBTOTAL POINTS **Maximum 1000 points** 850

PRELIMINARY PRICE CALCULATION - Maximum \$40,000 per acre

 850 points x \$40/point = \$34,000

Additional Points - Maximum 100 points

1. Relinquishment of Tenant House Rights, if applicable		Maximum 50 points
<u> </u> 5 Number of tenant houses allowed by right at 1 per 25 acres		<u> </u> 40
<u> </u> 4 Tenant house rights relinquished x 10 points per house		

2. Optional APB Points		Maximum +/- 50 points
See separate scoring sheet - points may be added or subtracted		<u> </u> 20

TOTAL POINTS **Maximum 1000 points** 910

FINAL PRICE CALCULATION - Maximum \$40,000 per acre

 910 points x \$40/point = \$36,400

TOTAL PRICE OFFER

 131 acres x \$36,400 per acre = **\$4,768,400**

2020 AGRICULTURAL PRESERVATION BOARD POINTS

Owner Dickey Tax Map 9 Parcel(s) 93 Acres 131
Farm Address 13850 Forsythe Rd, Sykesville

Total of 50 potential points can be added

- 1) Contribution to Agricultural Economy – Maximum 10 points 5 points
 - 5 points – The farm has a specialized or unique operation
 - 5 points – The farm has significant agricultural infrastructure
 - 5 points – The farm business is active within the local community by:
 - a. Purchasing agricultural products from other area farms
 - b. Supplying agricultural products to farms, businesses or individuals

- 2) Contribution to Agricultural Sustainability – Maximum 10 points 10 points
 - 5 points – An easement acquisition on this farm would be a new addition to properties already under easement belonging to same owner
 - 5 points – This is a Century Farm
 - 10 points – If the farm is for sale at the time of application, purchase of an easement will assist in the transfer to a new and/or next generation farmer

- 3) Green Infrastructure Network (GIN)/Water Quality – Maximum 10 points 5 points
 - 5 points – Farm includes portions of GIN hub(s)
 - 3 points - Farm includes portions of GIN corridor(s)
 - 5 points – 50' minimum forested riparian buffer width
 - 3 points - 35' minimum forested riparian buffer width

4) Historic and Scenic Resources – Maximum 10 points

- 5 points – Farm includes an historic structure encumbered by a Maryland Historic Trust easement
- 3 points – Farm includes a structure listed on the National, Maryland or Howard County Registers of Historic Places
- 5 points – Farm is located on the Historic National Road (Rt. 144)
- 3 points – Farm is located on a Maryland or Howard County Scenic Road

5) Discretionary - Maximum 10 points

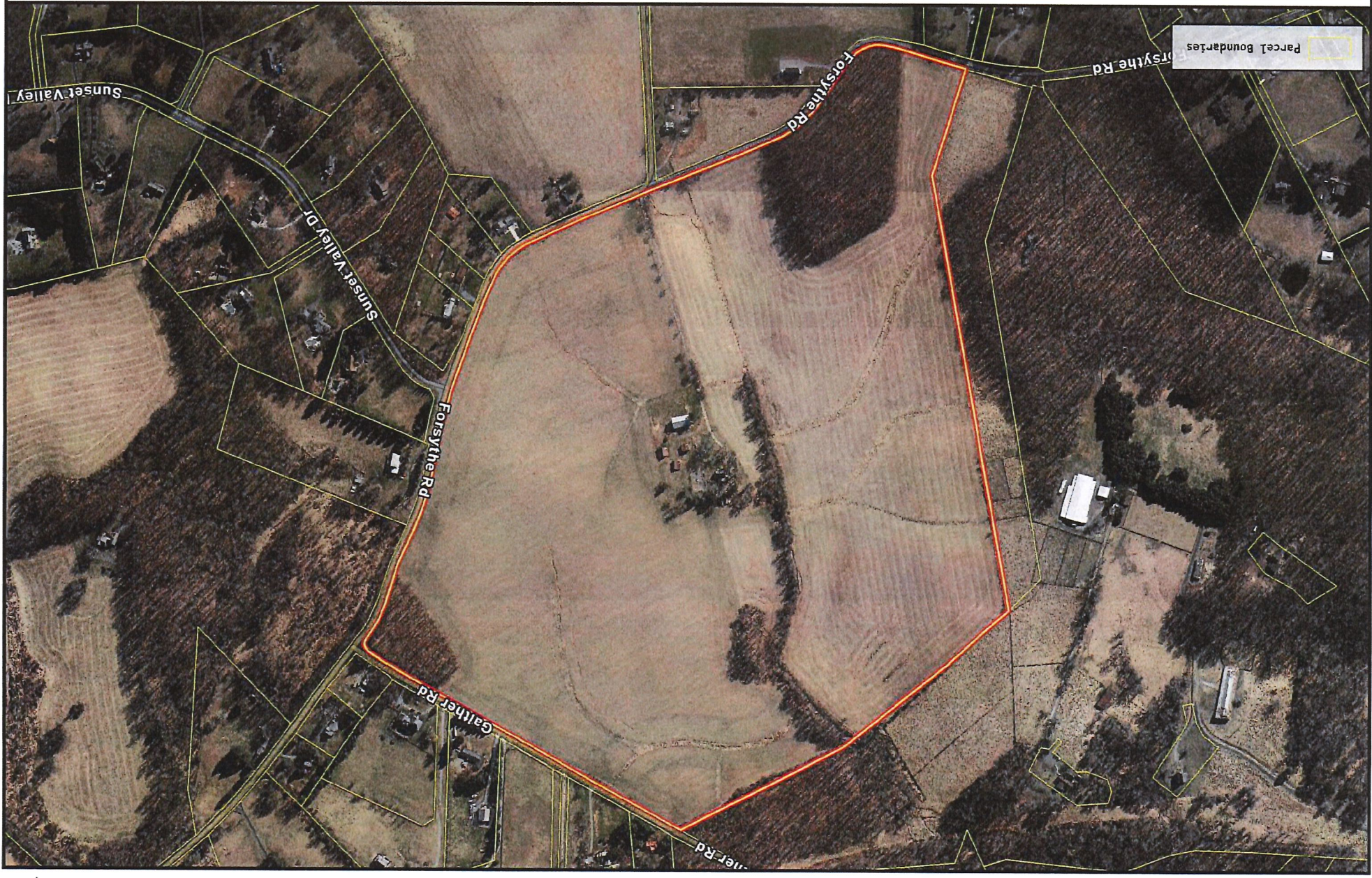
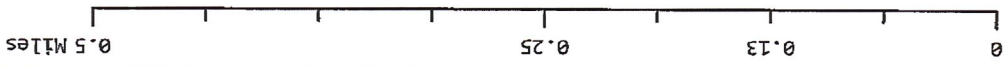
Reason for allocating points _____

Aerial Overview

Dickey
Property

13700 Forsythe Road
Clarksville, MD 21784

Tax Map: 0009
Parcel(s): 0093



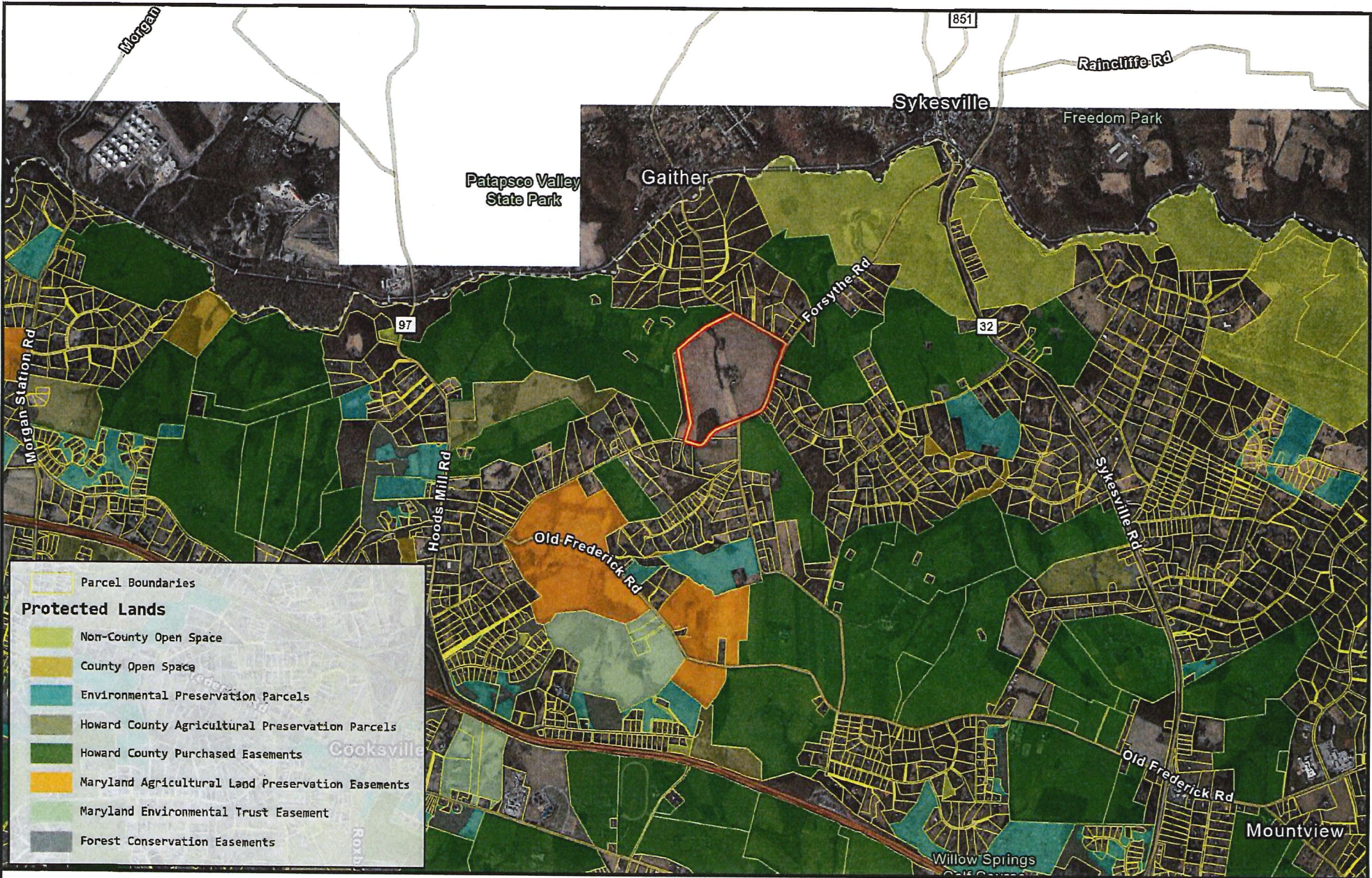
Parcel Boundaries

Howard County Department of Planning & Zoning
Resource Conservation Division
Division of Research
July 15, 2021

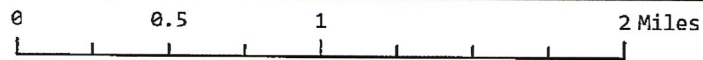


HOWARD COUNTY
MARYLAND

Aerial imagery covers only Howard County and terminates just beyond the county boundary. Esri Community Maps contributors, MICRPS, VITA, ESRI, HERE, Garmin, DeLorme, Satecom, INCREMENT P, INC, LUNDA, USGS, EPA, FWS, US Census Bureau, and others.

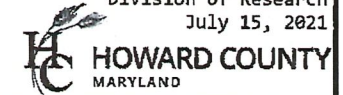


Protected Lands
Dickey
Property
 13700 Forsythe Road
 Clarksville, MD 21784



Tax Map: 0009
 Parcel(s): 0093

Howard County Department of Planning & Zoning
 Resource Conservation Division
 Division of Research
 July 15, 2021



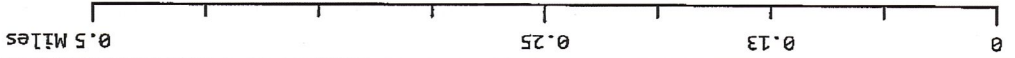
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 MICPPC, VITA, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA

Soils

Dickey Property

13700 Forsythe Road
Clarksville, MD 21784

Tax Map: 0009
Parcel(s): 0093



Howard County Department of Planning & Zoning
Resource Conservation Division
Division of Research
July 15, 2021



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

July 26, 2021

Attendance:

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

Staff: James Zoller, Executive Secretary/Agricultural Coordinator (OCS)
Joy Levy, Program Administrator, (ALPP)
Morenike Oyenuki, Senior Assistant County Solicitor
Beth Burgess, Chief, Resource Conservation Division
Matthew Hoover, Administrative Aide, (OCS)

Guest: Fred T. Lewis Edward (Ted) Lewis
Johnathan R. Dickey Alan Sharp
Josh Wynne Joseph Warren Rutter
Theodore F. Mariani Mike Lewis
Terry Fisher Keith Walker
Timothy D. Lewis Brian t. Wynne
Richard Watson Chuck Sharp

Action Items

1. **Minutes from the meeting of June 28, 2021**

No additions or corrections. Ms. Jones motioned for approval and it was seconded by Ms. Gibbon. All board members in attendance were in favor of approving the minutes.

2. **Request for Approval, MALPF Easement Acquisition, Spence property, 14.36 acres (APAB) ([Staff Report](#))**

Ms. Levy reviewed the Staff Report with the board and provided some background information about the property. The location of the property is at 2825 Florence Road in Woodbine. The request is for approval of a MALPF easement acquisition for the property. Some of the maps in the staff report were reviewed with the board to show the location of the property and the surrounding areas.

The farm is improved with a principal dwelling, a main barn, a greenhouse and two run-in sheds. About 70% of the property is currently in active agricultural use, and 100% of the soils are in Classes I-III. According to the Soil Conservation District, there is a current Soil Conservation and Water Quality Plan that is fully implemented.

The requirements and the steps of how the acquisition is acquired by the state was reviewed with the Board. The application meets MALPF's agricultural preservation easement eligibility criteria, so the staff recommends approval.

Mr. Brown motioned for approval and Ms. Jones seconded the motion. All MALPF members in attendance were in favor of approving the easement acquisition.

3. **Request for Approval, ALPP Easement Acquisition, Dickey property, 130.78 acres (APB) ([Staff Report](#))**

Ms. Levy reviewed the Staff Report with the board. The request is for approval of an ALPP easement acquisition. The property is located on 13700 North Forsythe Road in Sykesville. The maps were reviewed with the board to show the location of the property and its surrounding areas. It is a little over 130 acres and it is primarily a corn and soybean rotation. The property is under contract and is being sold to Chuck Sharp. Chuck Gingrich, who the property is currently leased to, will continue to farm the property in the short term. The farm is improved with a principal dwelling, a bank barn and three equipment sheds.

Ms. Levy reviewed the score sheet with the board and provided the proposed scoring with them. She reviewed the proposed optional points with the board and provided the reasoning of why these points were being suggested. The staff recommendation is for approval, because the property significantly exceeds the eligibility criteria.

The proposed scoring is based on the current owner. It is believed that the property will transfer prior to easement settlements and it would be the new owner putting it into the program. When processing a request during a transfer they include all parties involved with the property to make sure everyone is okay with it. It was advised that any price change would have to come back to the Board.

Ms. Levy and the Board reviewed each category and the points being proposed for each. There were no recommended changes to the proposed scores.

Ms. Jones motioned to propose 10 points for the discretionary points due to the size and that the property is being sold to a farming family. Mr. Brown seconded the motion. All Board members in attendance were in favor of adding the 10 discretionary points. The motion passed.

Ms. Jones motioned to accept all the proposed APB points, and it was seconded by Ms. Gibbon. All board members in attendance were in favor of the motion. The motion passed.

Ms. Jones motioned to accept the full proposed scoring sheet with the additional 10 points for a total of 920 points and it was seconded by Ms. Gibbon. All members in attendance were in favor of accepting the proposal as presented with the additional 10 discretionary points.

4. **Request for Approval, Child Lot, Lewis property, HO-90-19-E, 98.22 acres (APB) ([Staff Report](#))**

Ms. Levy reviewed the Staff Report with the Board. The request is for three one-acre child Lots for the Lewis' sons Jeffrey, Michael and Edward. The property is located at 6005 Ten Oaks Road. The property was placed in the Howard County program in December 1990 by Dr. Fred Lewis and Ms. Agnes Lewis. The trust is currently requesting the approval for the three lots.

The child lot policy was reviewed with the Board and it was also included in the staff report. The sons currently live out of state and are very interested in relocating back to Howard County to be closer to their father. The family has submitted the required letter of understanding along with birth certificates for each child.

The Staff recommends approval, subject to the following conditions of an amended deed of easement is to be prepared, executed and duly recorded in the land records of Howard County that would reflect the release of the three one acre lots, the applicant must repay \$6000 to the County for each of the one acre lots released and meet all appropriate county and state permits and approvals, including the approval of a subdivision plat to be recorded concurrently with the amended deed of easement.

Mr. Brown motioned for approval and it was seconded by Ms. Jones. All members in attendance approved the release of the three child lots.

5. **Request for Approval, Tenant House, Wynne property, HO-16-01-E, 58.7 acres (APB) ([Staff Report](#))**

Ms. Levy reviewed the Staff report and its contents with the Board. The property is located at 15685 Old Frederick Road in Woodbine. The request comes from Wynne Family LLC and it is for a tenant house. AFS placed the property in the Howard County program in January 2016. She reviewed the APB policy for tenant houses which was also included in the staff report. Ms. Levy reviewed the maps, included in the staff report, with the Board to show the location of the proposed tenant house.

The Wynne Family LLC wants to release the lot and build the dwellings in the same exact locations that the APB approved for AFS in 2019. Mr. Wynne's son, Josh, will reside in the proposed tenant house and will be responsible for upkeep of the farm and its structures. He will assist Mr. Gingrich, who runs the farm, as needed.

Staff recommends approval of the request to construct a tenant house, subject to the following conditions. The applicant must obtain all appropriate county and state permits and approvals and include the approval of a subdivision plan to be recorded concurrently with the amended deed of easement.

Mr. Brown motioned for approval and it was seconded by Ms. Gibbon. All members in attendance were in favor of the request for the tenant house.

6. **Request for Approval, Exchange of Land Under Easement for Unencumbered Land, Mariani property, HO-92-02-E, 175.41 acres (APB) ([Staff Report](#))**

Ms. Levy reviewed the Staff Report with the Board. The request is from Oakdale Farm LLC and it is for an exchange of land under easement for unencumbered land. The property is located on 16449 Ed Warfield Road in Woodbine. The property was placed in the program in January of 1992. The maps were reviewed with the APB to display the pieces of land that was proposed to be exchanged. They are requesting the exchange because they want to provide a better spatial buffer for the historic Governor's Mansion on the Oakdale property.

Staff recommends approval of the request for exchange of land under easement for unencumbered land, subject to the following conditions. An amended deed of easement is to be prepared, executed, and duly recorded in the land records of Howard County. The amended deed of easement will reflect the exchange of land under easement for unencumbered land. The applicant must obtain all appropriate county and state permits and approvals, including the approval of a subdivision plat to be recorded concurrently with the amended deed of easement.

The easement access to Jennings Chapel Road was included in the acreage tally. It was advised that the only added traffic would be for one house. The 25-foot driveway will connect to the lot from an already existing roadway.

Ms. Jones motioned for approval and it was seconded by Ms. Hudson to approve the exchange. All Board members in attendance were in favor of the motion for approval. The motion passed.

7. **Request for Final Advisory Comments, Commercial Solar Facility (CSF), Cahill Luigard Living Trust property, HO-97-04-PPCL(B), 37 +/- acres (APB) ([Staff Report](#))**

Request for final advisory comments for a CSF that was presented during the previous meeting. After the meeting they held last month, the board was provided more background information on the farming operation and how the CSF supported the farming operation. The Board looked carefully at the balance of the property to verify the CSF is ancillary to the primary farming operation.

Mr. Brown motioned for the Board recommendation for option one and it was seconded by Ms. Jones. All Board members in attendance were in favor of recommending option one.

Discussion Items

1. **Program Updates**

The Lowery property has gone to settlement and there are several other properties getting prepared for settlement. Sowell, Moore-Roby and JRNL have all gone to council and have been approved. Site visits have been completed for JRNL and Moore-Roby.

The Agricultural Innovation Grants have had another round go out.

The Roving Radish season is going well, and they are purchasing a lot of their produce from local farms.

At a future meeting, the APB will discuss ideas for spending agricultural preservation funds.

2. **Discussion of Commercial Solar Facilities (CSF) request submission requirements**

The new two-step process was discussed with the Board. The two-step process was implemented because of the update to the ZRA. They are looking into the possibility of skipping the second step, which is another meeting with the APB, if the Board is comfortable with the CSF plans presented to them during the first meeting. It was also mentioned, the possibility of adding some language to the submission process to recommend the applicants provide a narrative of how the CSF is ancillary to the farming operation.

Public Testimony

No public testimony

Meeting Adjourned

Mr. Brown motioned to adjourn, and it was seconded by Ms. Hudson. All members in attendance approved the motion. The meeting concluded at 8:27PM.



Amy Gowan, Director

FAX 410-313-3467

HOWARD COUNTY
AGRICULTURAL PRESERVATION BOARD
August 23, 2021

Staff Report

Owners: Jean Dickey Intervivos Trust
c/o Jonathan Dickey, James Dickey and Walter Johnson, trustees
5007 Rockmere Court
Bethesda, MD 20816

Contract Purchasers: AFS Farm, LLC & Sharp's Wild Horse Meadow, LLC
c/o Charles, Denise and Charles Sharp
4003 Jennings Chapel Road
Brookeville, MD 20833

Farm Location: 13700 N. Forsythe Rd, Sykesville
Tax Map 9, Parcel 93, 130.78 +/- acres

Easement Designation: Howard County Easement applicant

Request: Review by the Agricultural Preservation Board to revise the price per acre for an agricultural easement

Recommendation: Recommendation to the County Executive to approve the revised price per acre

Summary:

There are three proposed changes to the Board approved score sheet:

- 1) Subsequent to the Board's review on July 26, the Dickeys entered into a sales contract with the Sharps. The two Sharp LLCs listed above will own the farm when the ag easement is granted to the County. The property is currently leased to Chuck Gingrich. The Sharps have provided an assignment of lease agreement with Mr. Gingrich, which shows their intent to farm the property themselves. Mr. Gingrich will harvest the standing crop and the Sharps will be aerial seeding cover crop into the standing crop on or before September 11th. Accordingly, #8 on the score sheet has been revised to give 50 points for owner operated (a change from 25 points for non-owner operated).
- 2) The Sharps want to exclude the existing principal dwelling and an acre curtilage from the easement restrictions. They are not proposing to subdivide the acre onto a separate lot. The Sharp family has indicated that at some point in the future, they will likely request a large parcel subdivision to divide the farm into two parcels of approximately 55 and 75 acres, as provided for in Section 15.514(d) of the Howard County Code. They would like a principal dwelling on each parcel, but the easement allows only one. By excluding the acre around the existing dwelling upfront, the easement would provide the right for a new principal dwelling on the parcel that is unimproved. So, the 130-acre property would go under easement without a dwelling. If the Sharps created the large parcel subdivision, one parcel would have the existing dwelling on an unencumbered one-acre area, and the other parcel would have the right to a new dwelling that would be subject to the easement restrictions. Accordingly, one acre has been subtracted from the overall acreage on the score sheet.


- 3) The ALPP requires the exclusion of any road right-of-way from the ag easement, and the subtraction of that acreage from the overall price calculation. The farm has considerable road frontage on both Forsythe and Gaither Roads. An updated survey to show and calculate the ROW has not been completed yet, so there will be another change to the acreage and total price sometime soon. Since the total price difference will likely be relatively minor, and will be a reduction, the Board may not need to review it again.

There are no changes proposed to the APB optional points because everything on the approved version still applies.

Staff Recommendation:

Staff recommends approval of the revised \$37,800 per acre price.

Prepared by:



Joy Levy, Administrator
Agricultural Land Preservation Program

Date:

8/16/21

Attachments:

Revised Score Sheet

Assignment of Lease Agreement

Aerial map showing approximate acre around house to be excluded



Howard County Agricultural Land Preservation Program 2020 PRICE FORMULA WORKSHEET

Owner Dickey Tax Map 9 Parcel(s) 93
 Farm Address 13850 Forsythe Rd, Sykesville Acres 129.78

POINTS

1. Parcel Size Relative to Average Acreage of Remaining Uncommitted Land (40 acres)	Maximum 150 points	<u>150</u>
40 acres or more	150 points	
35 acres to 39.9 acres	125 points	
30 acres to 34.9 acres	100 points	
25 acres to 29.9 acres	75 points	
20 acres to 24.9 acres	50 points	
130		
2. Soil Capability – Percentage of Class I, II and III Soils Relative to Property Total	Maximum 150 points	<u>150</u>
90% or greater Class I, II and III Soils	150 points	
80% to 89% Class I, II and III Soils	125 points	
70% to 79% Class I, II and III Soils	100 points	
60% to 69% Class I, II and III Soils	75 points	
Less than 60% Class I, II and III Soils	50 points	
97.4		
3. Soil Productivity as Measured by Land Evaluation Score	Maximum 150 points	<u>100</u>
90 or greater Land Evaluation Score	150 points	
80-89 Land Evaluation Score	125 points	
70-79 Land Evaluation Score	100 points	
60-69 Land Evaluation Score	75 points	
Less than 60 Land Evaluation Score	50 points	
78.5		
4. Adjacency to Preserved Land	Maximum 125 points	<u>75</u>
75 to 100% perimeter adjacent to preserved land	125 points	
50 to 74% perimeter adjacent to preserved land	100 points	
25 to 49% perimeter adjacent to preserved land	75 points	
Less than 25% perimeter adjacent to preserved land	50 points	
29%		
5. Concentration of Preserved Lands	Maximum 125 points	<u>125</u>
More than 600 acres of preserved land within 3/4 mile	125 points	
400-599 acres of preserved land within 3/4 mile	100 points	
200-399 acres of preserved land within 3/4 mile	75 points	
Less than 200 acres of preserved land within 3/4 mile	50 points	
945		
6. Current Land Use	Maximum 150 points	<u>125</u>
90% or greater of property in agricultural use	150 points	
80% to 89% of property in agricultural use	125 points	
70% to 79% of property in agricultural use	100 points	
60% to 69% of property in agricultural use	75 points	
Less than 60% of property in agricultural use	50 points	
88%		
7. Soil Conservation and Water Quality Plan (SCWQP)/Best Management Practices (BMPs)	Maximum 100 points	<u>100</u>
Longstanding landowner relationship with SCD, and SCWQP on the property is predominantly implemented with no major resource concerns	100 points	
X		
Landowner has relationship with SCD and has made considerable efforts to implement SCWQP on this property or another property, or landowner has implemented considerable BMPs on their own	75 points	
New relationship with SCD and has made efforts to implement SCWQP on this property or another property, or landowner has implemented BMPs on their own	50 points	
New SCWQP with no conservation or BMP activity	0 points	

POINTS

8. Ownership and Operation

Owner operated _____ X
Non-owner operated _____
No current operation _____

Maximum 50 points _____ 50
50 points
25 points
0 points

SUBTOTAL POINTS

Maximum 1000 points _____ 875

PRELIMINARY PRICE CALCULATION - Maximum \$40,000 per acre

_____ 875 points x \$40/point = _____ \$35,000

Additional Points - Maximum 100 points

1. Relinquishment of Tenant House Rights, if applicable

_____ 5 Number of tenant houses allowed by right at 1 per 25 acres
_____ 4 Tenant house rights relinquished x 10 points per house

Maximum 50 points _____ 40

2. Optional APB Points

See separate scoring sheet - points may be added or subtracted

Maximum +/- 50 points _____ 30

TOTAL POINTS

Maximum 1000 points _____ 945

FINAL PRICE CALCULATION - Maximum \$40,000 per acre

_____ 945 points x \$40/point = _____ \$37,800

TOTAL PRICE OFFER

_____ 129.78 acres x _____ \$37,800 per acre =

\$4,905,684

LEASE ASSIGNMENT

This Lease Assignment by and between, Charles Gingrich (the "Assignor") and Charles Sharp or his assigns (the "Assignee") made on this ___ day of July, 2021.

WHEREAS, on the 1st day of January 2021, the Assignor entered into a lease with Jean R. Dickey (the "Landlord") for 106 crop acres located at 13700 Forsythe Road in Howard County, Maryland (the "Lease").

WHEREAS, Assignor desires to transfer the rights, title and interest to the leased premises to the Assignee.

NOW, THEREFORE for full and valuable consideration of \$10,600.00 (TEN THOUSAND SIX HUNDRED DOLLARS), Assignor hereby assigns and transfers the Lease attached hereto and incorporated herein, together with all the rights, title and interest in and to the Lease and premises, subject to all the conditions and terms contained therein, to have and to hold from the 7th day of July, 2021 until the Lease term expires on the 31st day of December, 2022.

Charles E. Gingrich
Charles Gingrich, Assignor

Charles Sharp
Charles Sharp, Assignee

SHARP FARM LLC
GENERAL ACCOUNT
4003 JENNINGS CHAPEL RD
BROOKEVILLE, MD 20833

4252
65-7253/2550

Date: 7/7/21

Pay to the order of Chuck Gingrich \$ 10,600.00
Ten Thousand Six Hundred 00/100 Dollars

Carroll Community Bank
www.CARROLLCOMM.COM

For: *Charles Sharp*

MP

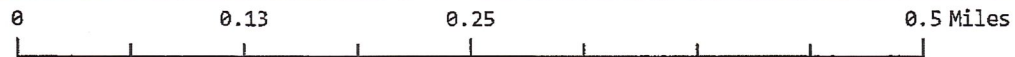
⑈004252⑈ ⑆255072537⑆ 0136500196⑈



Aerial Overview

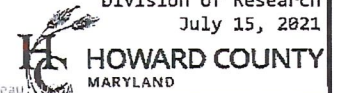
Dickey
Property

13700 Forsythe Road
Clarksville, MD 21784



Tax Map: 0009
Parcel(s): 0093

Howard County Department of Planning & Zoning
Resource Conservation Division
Division of Research
July 15, 2021



Aerial Imagery covers only Howard County and terminates just beyond the county boundary
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