

Kent County Agricultural Advisory Commission Meeting Summary

The Kent County Agricultural Advisory Commission met on Tuesday, January 25, 2022, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland, with the following members in attendance: Jennifer Debnam, Chair; John "Buddy" Cahall; Sean Jones; Catherine Abramavage, Richard Winters, and Valerie Mason. Also present were William Mackey, Director; Carla Gerber, Deputy Director; and Michael Pelletier, Clerk.

The meeting was called to order at 5:07 p.m.

APPLICATIONS

Resolution 2021-18, Resolution to Introduce a Text Amendment to Revise Chapter 222, Zoning, to Remove the Requirement Related to the Maximum Percentage of Property in Lots (10% Rule) from the Agricultural Zoning District (AZD).

Ms. Gerber informed the members that the 10 percent rule related to the maximum percentage of a property that can be subdivided into lots in the AZD, requiring 90 percent of the farm be left intact to protect the agricultural use of the property.

The benefits for eliminating the rule would be that it made it easier for farms to diversify and try new approaches for new farmers to establish enterprises and that protecting farm size is not the only approach to preserve the agricultural character of the County.

The Commission was also informed that there are examples that demonstrate how this rule made it difficult for farms that were split by roads or other features, and the property owners were unable to subdivide properties and sell them pursuant to the rule.

The members concerned about fragmentation of the AZD. They were concerned that the elimination of the 10 percent rule would result in splitting agricultural properties into large, non-agricultural lots.

Identified problems that could arise are that some commercial property owners or out of state property owners could purchase subdivided parcels to use as a second home or other non-agricultural use, which could have an effect on the agricultural character and economic development of the County. Another concern is the number of small "farmettes" that could result should this rule be eliminated.

Mr. Winters added that while living in New Jersey, he saw the deterioration of agricultural lands over the course of time and its impact on the State based on policies that allowed large-lot subdivisions.

Mr. Jones made a motion for the Commission to issue a finding that the Commission does not recommend elimination of the 10 percent rule but would recommend that the County Commissioners adopt specific waiver exceptions on a case-by-case basis. Jennifer Debnam, Chair, John "Buddy" Cahall, Sean Jones, Catherine Abramavage, and Richard Winters voted in favor of the motion and Valerie Mason was opposed. The motion passed.

Resolution 2021-19, Resolution to Introduce a Text Amendment to Revise Chapter 222, Zoning, to Amend Setbacks for Certain Animal Related Uses from 600 Feet and 400 Feet to 200 Feet in AZD.

Ms. Gerber informed the members that the proposed text amendment seeks to reduce the setback range from 600 or 400 feet to 200 feet related to animal housing, feeding or waste management structures as a means of simplifying and standardizing the regulations concerning animal husbandry. The rule would not apply to farms adjacent to other non-agricultural districts so the rule would only effect farms adjacent to other farms in the AZD.

Mr. Cahill made a motion for the Commission to issue a favorable recommendation to the County Commissioners on the legislation as proposed. All members were in favor and the motion passed.

Kent County Comprehensive Rezoning Process

Mr. Mackey discussed the anticipated timeline for the Comprehensive Rezoning process. Due to staffing shortages; the Comprehensive Rezoning Task Force meetings have been suspended until March, at which time the situation will be re-evaluated based on whether staffing vacancies have been filled.

ADJOURN

There being no further business, the meeting adjourned at 6:10 p.m.

 /s/ Jennifer Debnam
Jennifer Debnam, Chair

 /s/Michael Pelletier
Michael Pelletier, Clerk