



**County Commissioners’ Hearing Room**  
**400 High Street**  
**Chestertown, Maryland**

**AGENDA**

December 18, 2023  
5:00 p.m.

Members of the public are welcome to attend meetings in person or via conference call.

Public participation and audio-only call-in number:

1. Dial **1-872-239-8359**
2. Enter Conference ID: **308 631 168#**

Members of the public are asked to mute their phones/devices, until the Commission Chair opens the floor for comment.

**Minutes – July 17, 2023**

**Applications for Review**

- I. Franklin Dill – Renewal of Spray Irrigation Agreement.....Board Recommendation**  
14-86-03, 24530 Porters Grove Road
- II. Jonathan Reed and Robin Reed May – Permitted Uses Envelope.....Board Recommendation**  
14-22-07, 9600 Worton Road
- III. Review of Ag District Applications.....Board Recommendation**  
ALP 23-01, BGM Farms, LLC, 33824 Bradford Johnson Road  
ALP 23-02, E & D Land Holdings, LLC, 29243 River Road  
ALP 23-03, Bloomfield Ventures, LLC, 11791 Blacks Station Road

**General Discussion**

**Adjourn**

Meetings are conducted in Open Session unless otherwise indicated. Meetings are subject to audio and video recordings. Other business without assigned times may be discussed during the course of this meeting as time allows.



MINUTES - **DRAFT**

The Kent County Agricultural Preservation Advisory Board met on Monday, July 17, 2023, in the County Commissioners' Hearing Room. The following members were in attendance: Chair David Hill, Bradley Morris, Tyler Gale, and Davidson Coleman. Staff in attendance were Carla Gerber, AICP, Deputy Director; and Campbell Safian, Planning Specialist.

The meeting was called to order at 6:00 p.m.

**MINUTES:**

The minutes of the meeting on February 21, 2023, were approved as written and distributed.

**FY24 EASEMENT APPLICATION RANKINGS**

The Agricultural Preservation Advisory Board voted on each application, sending a favorable recommendation to the County Commissioners for the FY24 Easement Application Rankings. Chair Hill recused himself from the vote on application "A". Mr. Coleman recused himself from the vote on application "Q".

Mr. Gale moved to approve farm A in rank number 1. The motion was seconded by Mr. Morris, and the motion passed 3-0.

Mr. Morris moved to approve farm B in rank number 2. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Morris moved to approve farm C in rank number 3. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Gale moved to approve farm D in rank number 4. The motion was seconded by Mr. Coleman, and the motion passed 4-0.

Mr. Morris moved to approve farm E in rank number 5. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Morris moved to approve farm F in rank number 6. The motion was seconded by Mr. Coleman, and the motion passed 4-0.

Mr. Gale moved to approve farm G in rank number 7. The motion was seconded by Mr. Morris, and the motion passed 4-0.

Mr. Morris moved to approve farm H in rank number 8. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Gale moved to approve farm I in rank number 9. The motion was seconded by Mr. Morris, and the motion passed 4-0.

Mr. Morris moved to approve farm J in rank number 10. The motion was seconded by Mr. Coleman, and the motion passed 4-0.

Mr. Gale moved to approve farm K in rank number 11. The motion was seconded by Mr. Morris, and the motion passed 4-0.

Mr. Morris moved to approve farm L in rank number 12. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Morris moved to approve farm M in rank number 13. The motion was seconded by Mr. Coleman and the motion passed 4-0.

Mr. Gale moved to approve farm N in rank number 14. The motion was seconded by Mr. Morris, and the motion passed 4-0.

Mr. Gale moved to approve farm O in rank number 15. The motion was seconded by Mr. Morris, and the motion passed 4-0.

Mr. Morris moved to approve farm P in rank number 16. The motion was seconded by Mr. Gale and the motion passed 4-0.

Mr. Morris moved to approve farm Q in rank number 17. The motion was seconded by Mr. Gale, and the motion passed 3-0. Mr. Coleman abstained from voting on the application.

Mr. Gale moved to approve farm R in rank number 18. The motion was seconded by Mr. Morris, and the motion passed 4-0.

Mr. Morris moved to approve farm S in rank number 19. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Morris moved to approve farm T in rank number 20. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Morris moved to approve farm U in rank number 21. The motion was seconded by Mr. Coleman, and the motion passed 4-0.

Mr. Gale moved to approve farm V in rank number 22. The motion was seconded by Mr. Morris, and the motion passed 4-0.

Mr. Morris moved to approve farm W in rank number 23. The motion was seconded by Mr. Gale, and the motion passed 4-0.

Mr. Morris moved to approve farm X in rank number 24. The motion was seconded by Mr. Gale, and the motion passed 4-0.

**GENERAL DISCUSSION**

**ADJOURN**

The meeting was adjourned at 6:17 p.m.

\_\_\_\_\_  
David Hill, Chair

\_\_\_\_\_  
/s/ Campbell Safian  
Campbell Safian



**To:** Agricultural Preservation Advisory Board  
**From:** Carla Gerber  
**Date:** December 14, 2023

## Memorandum

### **Franklin Dill – Renewal of Spray Irrigation Agreement**

The Spray Irrigation Agreement between Frank Dill and the County must be renewed every five years. As you are aware, the MALPF Board of Trustees has already reviewed this request; however, MALPF requires an official vote to recommend continuation of the agreement. The materials emailed to you in November are included for your review.

### **Jonathan Reed and Robin Reed May – Expansion of Permitted Uses Envelope**

There is a gravel pit on the Reed farm located at 9600 Worton Road. Jonathan and his sister Robin requested approval of an approximately 5-acre permitted uses envelope when they applied to sell an easement in 2022. They accepted an offer and in the process of surveying the permitted uses envelope it became apparent that the area was larger than originally stated. The difference in acreage is enough that the property must go back to the MALPF Board of Trustees for approval. In addition, the Reeds would like to exclude a 50-foot right-of-way to provide access to a landlocked parcel that is not part of the easement. I've attached an aerial image and the draft survey. A draft survey and aerial are attached.

### **Ag Preservation Districts**

**BGM Farms, LLC – 33824 Bradford Johnson Road** – The applicants would like to place their 276 acre farm in a district. The farm has approximately 131 cropland acres and 130 forest acres. There are 2 dwellings. The soils exceed the criteria and the parcel is adjacent to other protected lands. Maps are attached.

**E & D Land Holdings LLC – 29243 River Road** – The applicants would like to place their 117 acre farm in a district. There was a district on this farm under the prior owners and it does meet the criteria. There is one dwelling. Maps are attached.

**Bloomfield Ventures, LLC – 11791 Locust Grove Road** – The applicants are proposing to complete an adjustment of lot lines that will create 2 approximately 270-acre farms from the relocation of the boundary lines between the existing larger and smaller parcels. There is a house on each parcel and the majority of the land is in crop production. There is no woodland. The soils exceed the criteria and the parcel is surrounded by other protected lands. Maps are attached.



**DEPARTMENT OF  
PUBLIC WORKS**

709 Morgnec Road  
Chestertown, MD 21620  
410-778-2600  
Michael S. Moulds, P.E., Director  
[mmoulds@kentgov.org](mailto:mmoulds@kentgov.org)

October 20, 2023

Michelle Cable, Executive Director  
Maryland Agricultural Land Preservation Foundation  
Maryland Department of Agriculture  
50 Harry S. Truman Parkway  
Annapolis, Maryland 21401

RE: Dill Farm Spray Irrigation Extension Agreement

Dear Ms. Cable,

On behalf of Mr. Frank Dill and the County, we are notifying of our intent to execute a 5-year extension agreement for utilizing the existing spray irrigation on Mr. Dill's farmland. Attached are three originals of the signed agreement for the Foundations approval and signature. Please return two executed originals for our and Mr. Dills files.

The only changes to the current agreement is the 5 year extension to January 1, 2029 and a 5% increase in the annual lease payment to Mr. Dill.

We continue to apply effluent from the Worton wastewater treatment plant seasonally to 75.8 of 162 acres tillable at the Dill farm. The sodium absorption ratio limit in the effluent is monitored three times per year. The limit is 9 and the five-year average of the sodium absorption ratio is 5.

The sodium limit in the treatment plant's discharge permit is 100 milligrams per liter. The five-year average of the sodium in the plant's effluent is 64 milligrams per liter. There have been no adverse effects of the sodium in the spray irrigation area, and we believe that will continue in the future.

Should you have any questions or concerns please do not hesitate to call or email me.

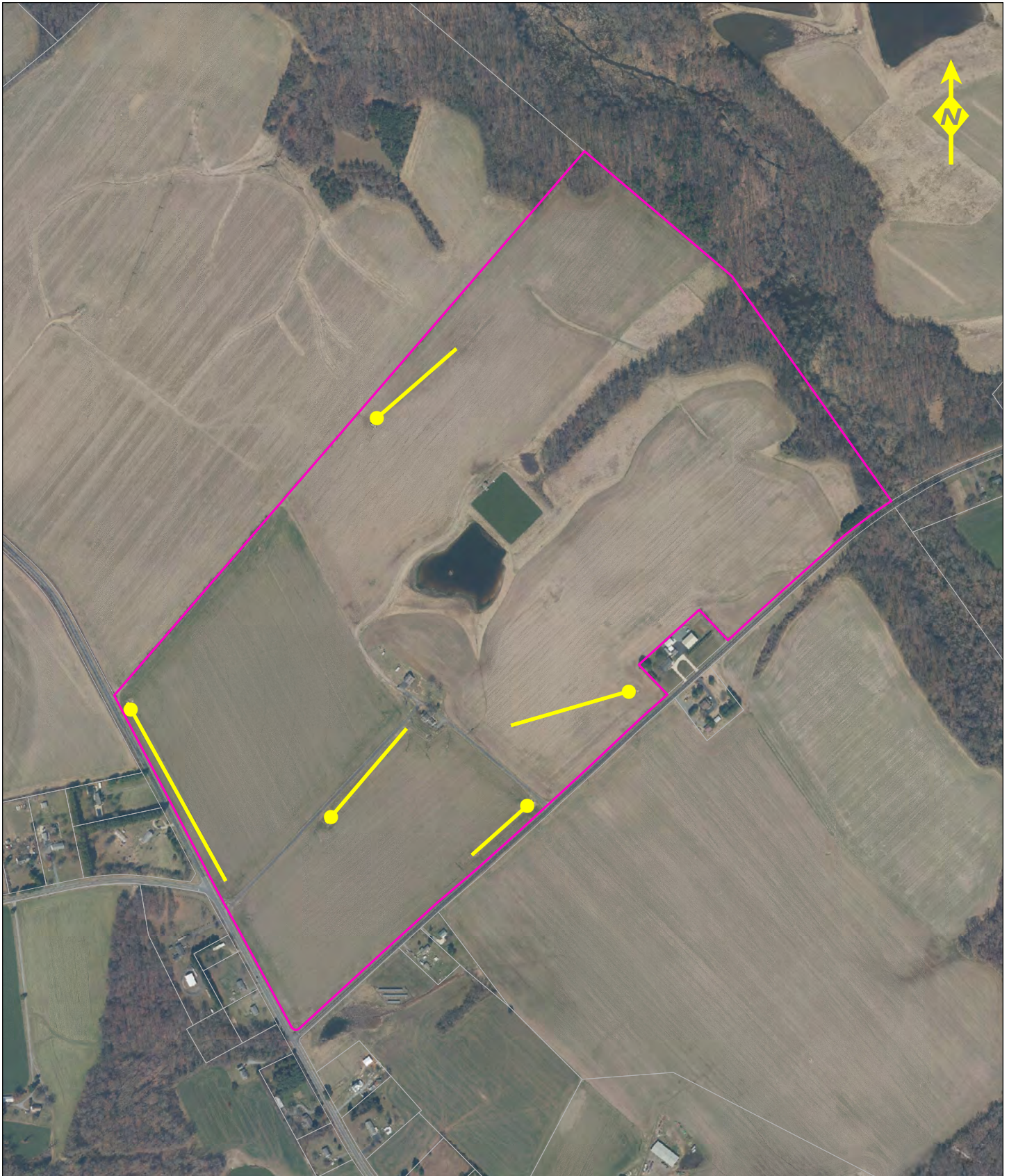
Sincerely,

Michael S. Moulds, PE  
Director of Public Works

Copy: Shelley Heller, County Administrator  
Mr. Frank Dill

Enclosures: Lease Agreement Renewal

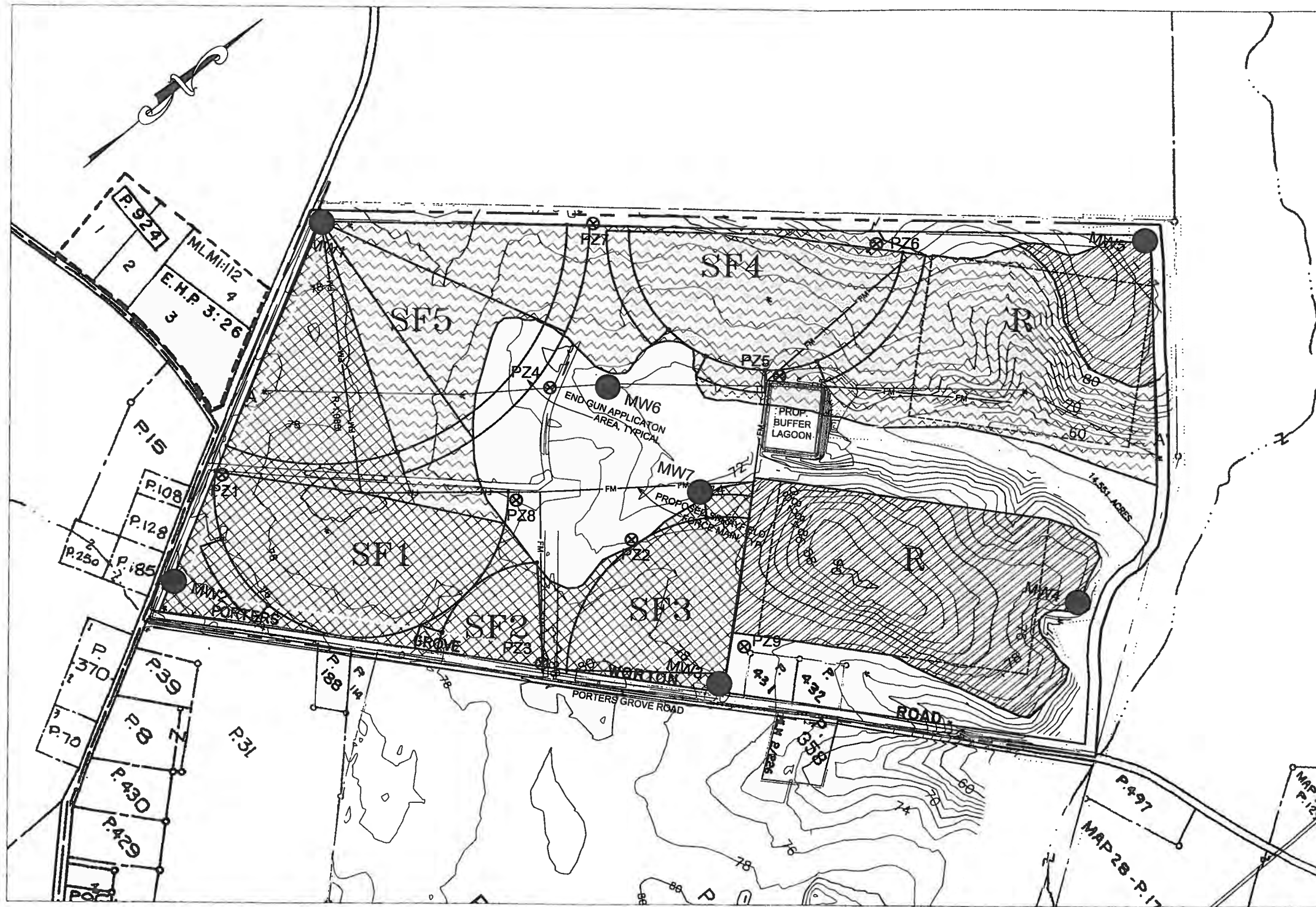
Franklin Dill (14-86-03), Wastewater Spray Irrigation System Renewal  
24530 Porters Grove Road, Worton  
Map 27, Parcel 7



Source: Kent County Department of Planning, Housing, and Zoning.  
Aerial taken Spring 2022. Map prepared November 2023.

1 inch = 700 feet

# Exhibit A 2



### EXPLANATION

- — PROPERTY BOUNDARY
- ⊕ PZ1 PROPOSED PIEZOMETER
- MW1 PROPOSED MONITORING WELL
- SF1 SPRAY FIELD IRRIGATION AREAS
- R RESERVE IRRIGATION AREAS
- ▨ AREA 1-2.0 in/wk (Annual Average)
- ▩ AREA 2-0.8 in/wk (Annual Average)
- ▧ AREA 3-0.4 in/wk (Annual Average)

NOTE: CONTOUR INTERVAL = 2 FEET

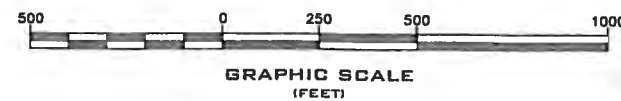


FIGURE B.2  
WASTEWATER IRRIGATION AREA  
FOR  
**WORTON**  
KENT COUNTY, MARYLAND

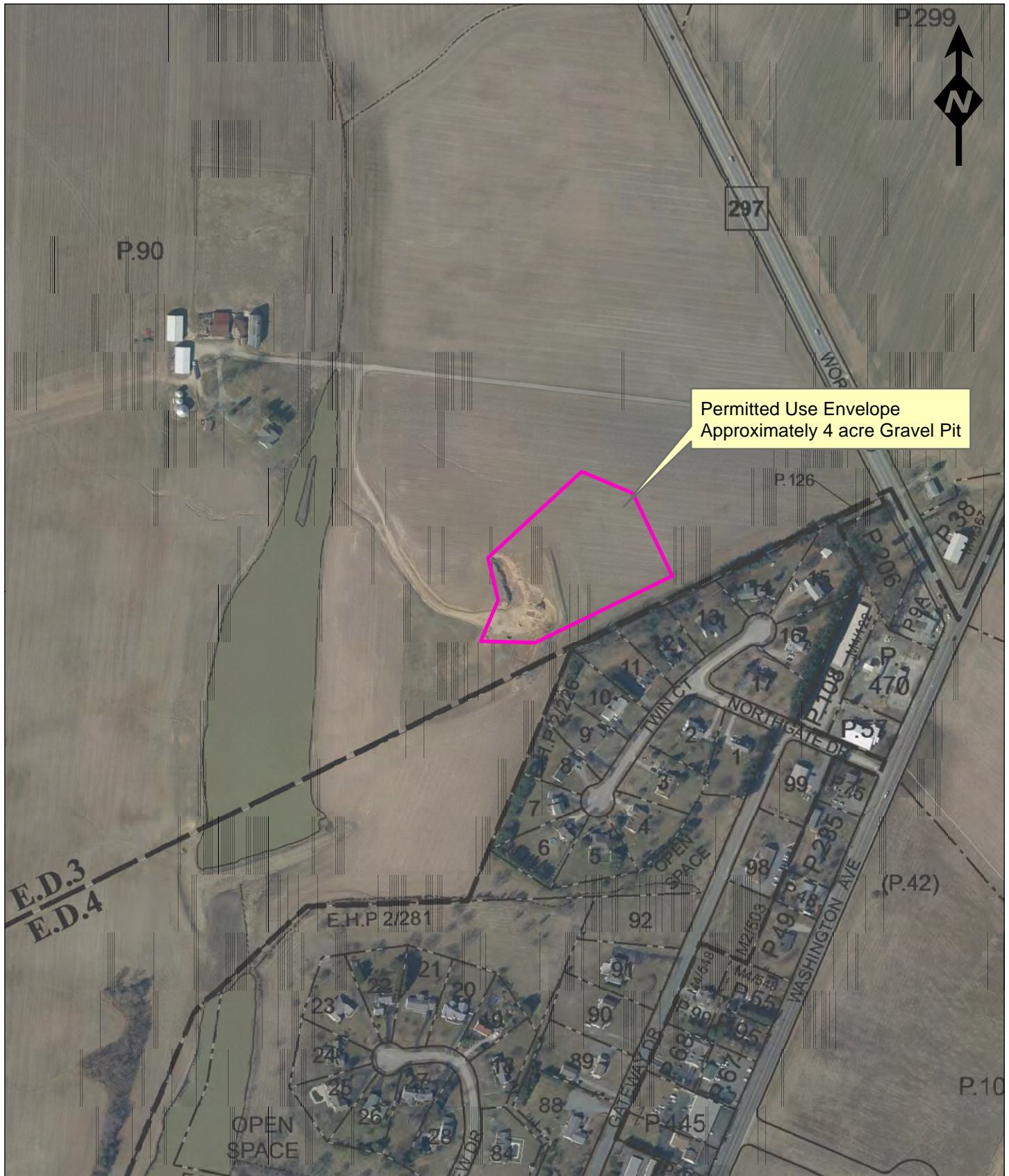
PROJ. MGR: C. STEIN	SCALE: AS SHOWN	CADD FILE: 3418WD(WORTON) DWG	BASE MAP: McCRONE
DRAWN BY: L.K.C.	DATE: 09/12/2008	PROJECT: 3418	SURVEY BY: McCRONE

**Earth Data**  
INCORPORATED  
GROUNDWATER & ENVIRONMENTAL  
CONSULTANTS

131 COMET DRIVE  
CENTREVILLE, MARYLAND 21617  
TEL. 410.758.8160 / FAX 410.758.8168  
WWW.EARTHDATAINC.COM

Figure B.2 - Site map showing the proposed wastewater irrigation area, pivot locations, monitoring wells, piezometers and other pertinent features - Worton, Kent County, Maryland





N 7th

N 7th

N 7th

PROPOSED  
PIT EXPANSION/  
EXCLUSION AREA  
6.8 ACRES TOTAL

REED, M - 097

CURRENT PERMITTED  
MINING AREA

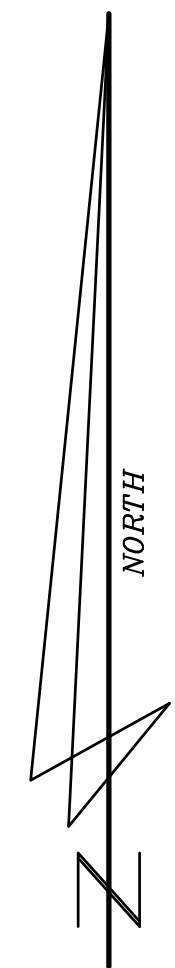
ACTIVE  
MINING

RECLAIMED  
AREA

RECLAIMED  
AREA

Twin Ct





LINE NO.	BEARING	DISTANCE
1	N 28°56'41" W	179.85
2	N 01°26'41" W	148.50
3	N 15°18'19" E	168.30
4	N 56°33'19" E	117.12
5	N 18°03'19" E	99.00
6	N 01°47'56" E	254.56

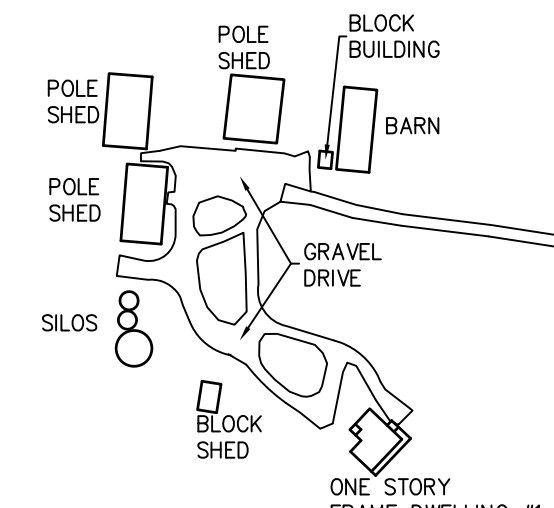
LANDS OF  
**THOMAS DULIN CLARK, et ux.**  
MLM 917/65

LANDS OF  
**JHC FAMILY LIMITED PARTNERSHIP**  
MLM 1004/55  
PLAT BOOK MLM 2/555

LANDS OF  
**STATE OF MARYLAND USE OF MARYLAND DEPARTMENT OF TRANSPORTATION, STATE RAILROAD ADMINISTRATION**  
E.H.P. 134/244

LANDS OF  
**JHC FAMILY LIMITED PARTNERSHIP**  
MLM 1004/55  
PLAT BOOK MLM 2/555

**MALPF EASEMENT AREA = 249.995± ACRES**



COURSES & DISTANCES OF GRAVEL PIT

LINE	BEARING	DISTANCE
55	N 11°23'50" W	237.52
56	N 71°23'36" W	50.41
57	S 83°20'57" W	42.84
58	S 64°56'46" W	42.18
59	S 87°53'04" W	91.26
60	N 34°28'51" E	137.31
61	N 34°28'51" E	150.08
62	S 88°35'57" E	373.37
63	S 28°49'32" W	72.79
64	S 28°49'32" W	80.42
65	S 28°49'32" W	80.42
66	N 67°15'59" E	281.58
67	S 22°44'01" E	161.18
68	S 67°15'59" W	484.64
69	S 28°49'32" W	8.04
70	S 67°15'59" W	30.10

LANDS OF  
**ROBIN REED MAY, et al.**  
MLM 1034/104

CRESTVIEW LOT OWNERSHIP

LOT NO.	OWNER	DEED REF.
6	KEITH C. KIRBY, et ux.	M.L.M. 283/567
7	DORNE E. YEAGER, et ux.	S.L.K. 1247/190
8	KENT CENTER, INC.	S.L.K. 1275/122
9	RUTH E. MCGUIRE, et al.	M.L.M. 132/90
10	ROBERT E. LOWMAN, et ux.	M.L.M. 965/204
11	KEVIN J. DEY	M.L.M. 904/329
12	PETER E. AMES	M.L.M. 707/229
13	ELIZABETH A. STARKEY	M.L.M. 877/488
14	RANDALL LEWIS COOPER	M.L.M. 1/340
15	KEITH H. DILL, et ux.	M.L.M. 1047/92

LANDS OF  
**ROBIN REED MAY, et al.**  
MLM 1034/104  
PROPERTY 3: TAX ID#04-023366  
0.099 ACRES±

**MALPF EASEMENT AREA = 249.995± ACRES**  
This boundary survey describes the entirety of the Land under a Maryland Agricultural Land Preservation Foundation (MALPF) Easement (Easement No. 14-22-07). Regardless of the number of tax parcels, tax accounts, or parcels of record constituting the Land depicted on this boundary survey, the MALPF Easement combines them all into a single tract of land, the component parts of which must be titled in identical ownership. Division, partition, off-conveyance and boundary-line adjustment of this single tract of land are all prohibited without the specific written approval of MALPF and recordation of the required documentation of that approval among the Land Records of Kent County, Section F, of Article III, of the Deed of Easement encumbering the described Land, which is intended to be recorded among the Land Records of Kent County, is expressly incorporated into this boundary survey.

**SURVEYOR CERTIFICATION**  
I hereby certify to, Jonathan F. Reed and Robin Reed May, and the State of Maryland to the use of the Department of Agriculture, on behalf of the Maryland Agricultural Land Preservation Foundation, Samuel Heck, Esq. and Old Republic National Title Insurance Company, that I have conducted a boundary survey of the land shown hereon in accordance with COMAR 09.13.06.03, and this plot of survey is an accurate representation of said boundary survey, and that said boundary survey is part of the same land which by Deed Dated December 11, 2019, and recorded among the Land Records of Kent County, in Liber 1034, folio 104, was granted and conveyed to Jonathan F. Reed and Robin Reed May.

Maryland Registered Surveyor  
(Surveyor Seal)

**CERTIFICATE OF EASEMENT GRANTORS**  
The undersigned Easement Grantors agree to comply with all terms of the Maryland Agricultural Land Preservation Foundation Easement No. 14-22-07 ("Easement") to be recorded in the Land Records of Kent County. This plot of survey is expressly incorporated into and made part of the Easement.

Signature of Easement Grantor:

By: Jonathan F. Reed

Date: \_\_\_\_\_

Signature of Easement Grantor:

By: Robin Reed May

Date: \_\_\_\_\_

**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION APPROVAL**  
Boundary Survey- Easement No. 14-22-07  
Maryland Agricultural Land Preservation Foundation

By: Michelle Cable, Executive Director

Date: \_\_\_\_\_

NOTES:  
FOR DEED REFERENCE SEE M.L.M. 1034/104  
ADDRESS OF PROPERTY: 9600 WORTON ROAD  
CHESTERTOWN, MARYLAND 21620

- CMF ■ - DENOTES CONCRETE MONUMENT FOUND
- IPF ● - DENOTES IRON PIPE FOUND
- IRF ● - DENOTES IRON ROD FOUND
- IRS ● - DENOTES IRON ROD AND CAP SET

TOTAL AREA = 252.613 ACRES±  
LESS WITHHELD ACREAGE FOR:  
50' WIDE RIGHT OF WAY = 1.278 ACRES±  
66' WIDE RAILROAD RIGHT OF WAY = 1.241 ACRES±  
PROPERTY 3 IN LIBER 1034/104 = 0.099 ACRES±  
TOTAL MALPF EASEMENT AREA = 249.995 ACRES±  
UNPAID ACREAGE:  
GRAVEL PIT PERMITTED USE ENVELOPE = 4.471 ACRES±  
AREA WEST OF RAILROAD = 4.471 ACRES±  
TOTAL MALPF EASEMENT PAYMENT ACRES = 241.524 ACRES±

DRAFT

BOUNDARY SURVEY  
OF PART OF THE LANDS OF  
**ROBIN REED MAY, et al.**  
FOURTH ELECTION DISTRICT, KENT COUNTY, MARYLAND

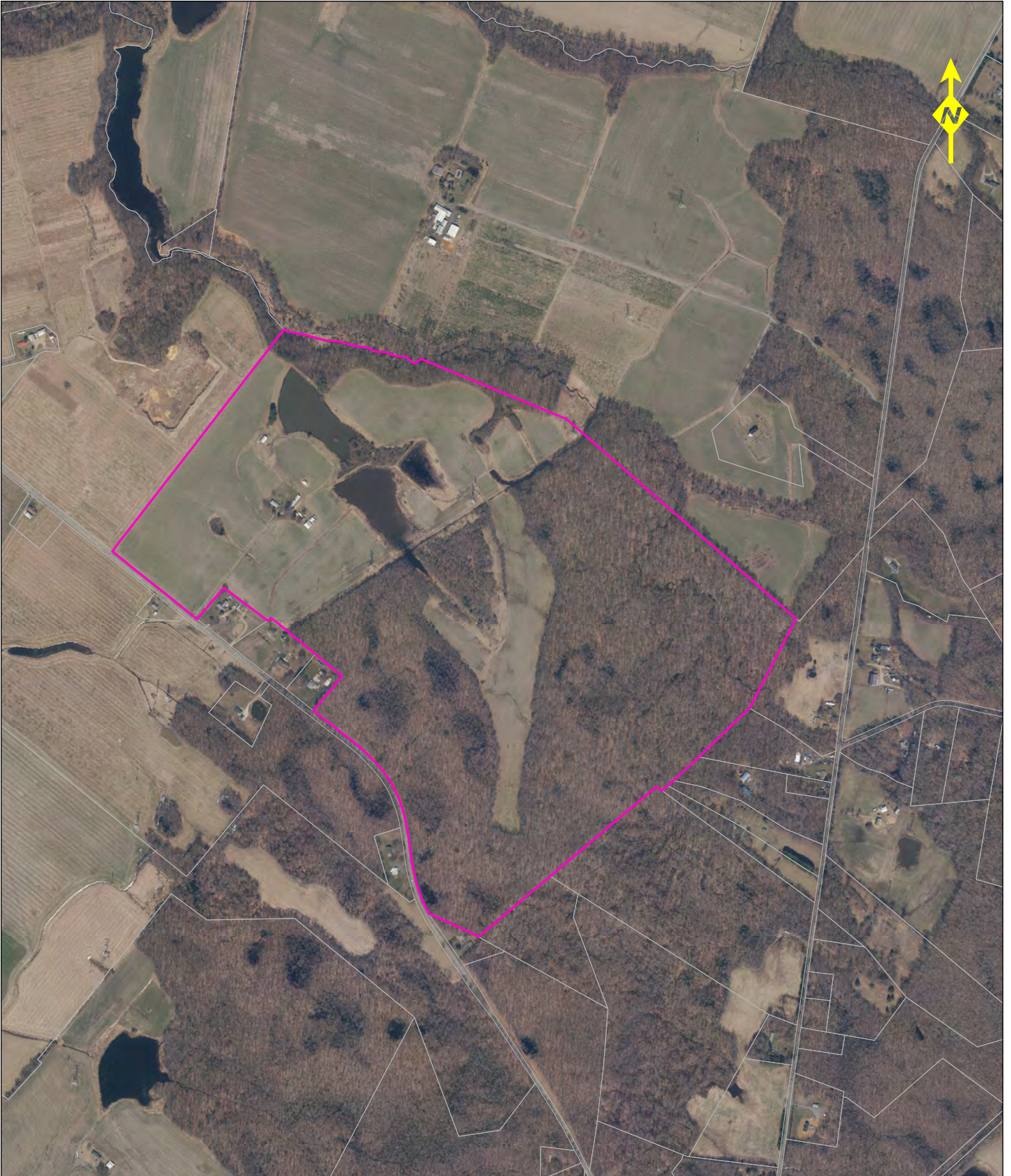
DATE	SCALE	JOB NO.	TOLERANCE	REVISION
12-1-22	1" = 200'	7661	JWB	
				K-993

**MICHAEL SCOTT INC.**  
400 S CROSS ST STE 3, CHESTERTOWN, MD 21620 (410)778-2310

DATE \_\_\_\_\_  
SEAL \_\_\_\_\_

DWG. NAME \_\_\_\_\_

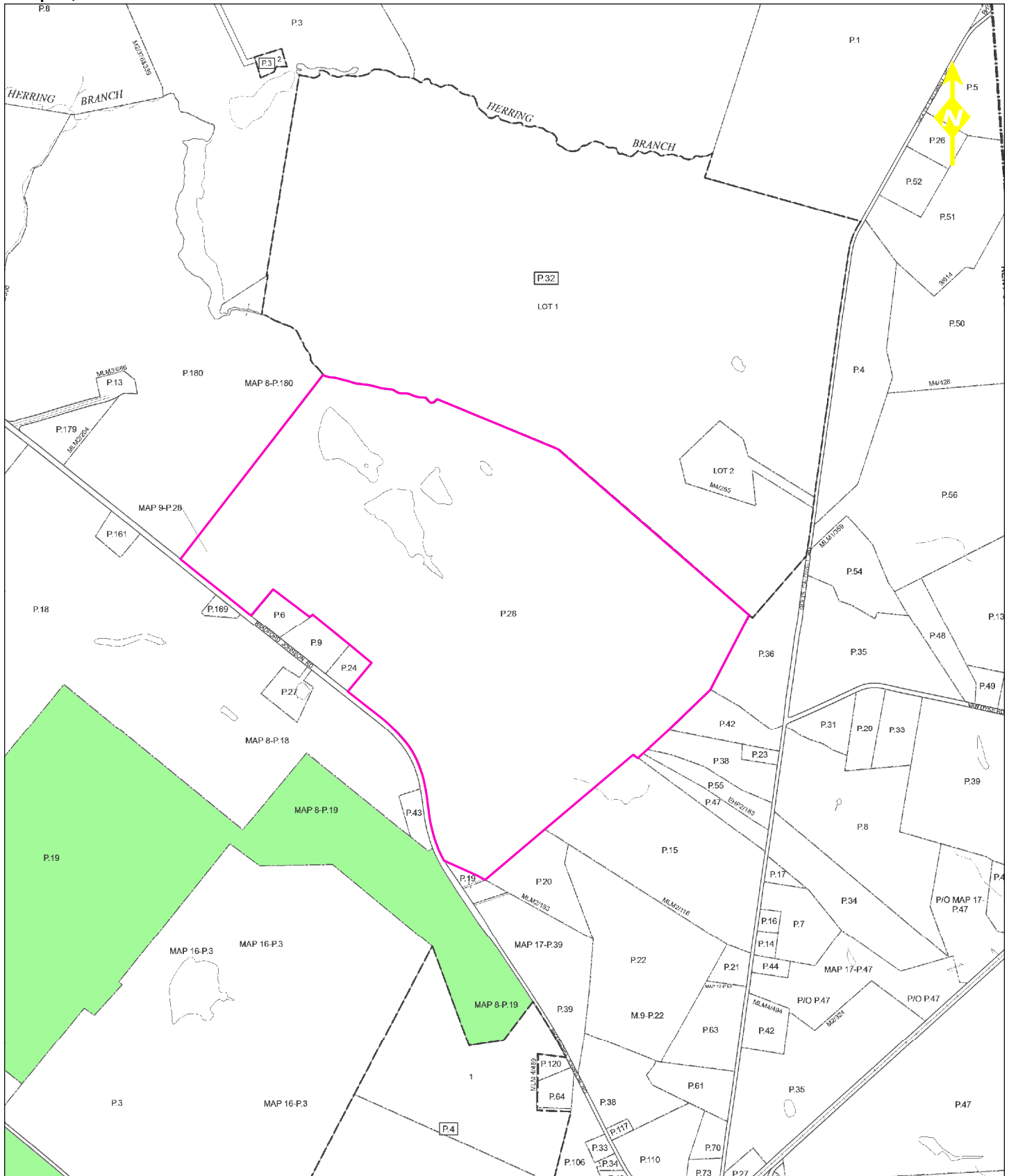
BGM Farms, LLC  
33824 Bradford Johnson Road  
Map 9, Parcel 28



Source: Kent County Department of Planning, Housing, and Zoning.  
Aerial taken Spring 2022. Map prepared December 2023.

1 inch = 1,000 feet

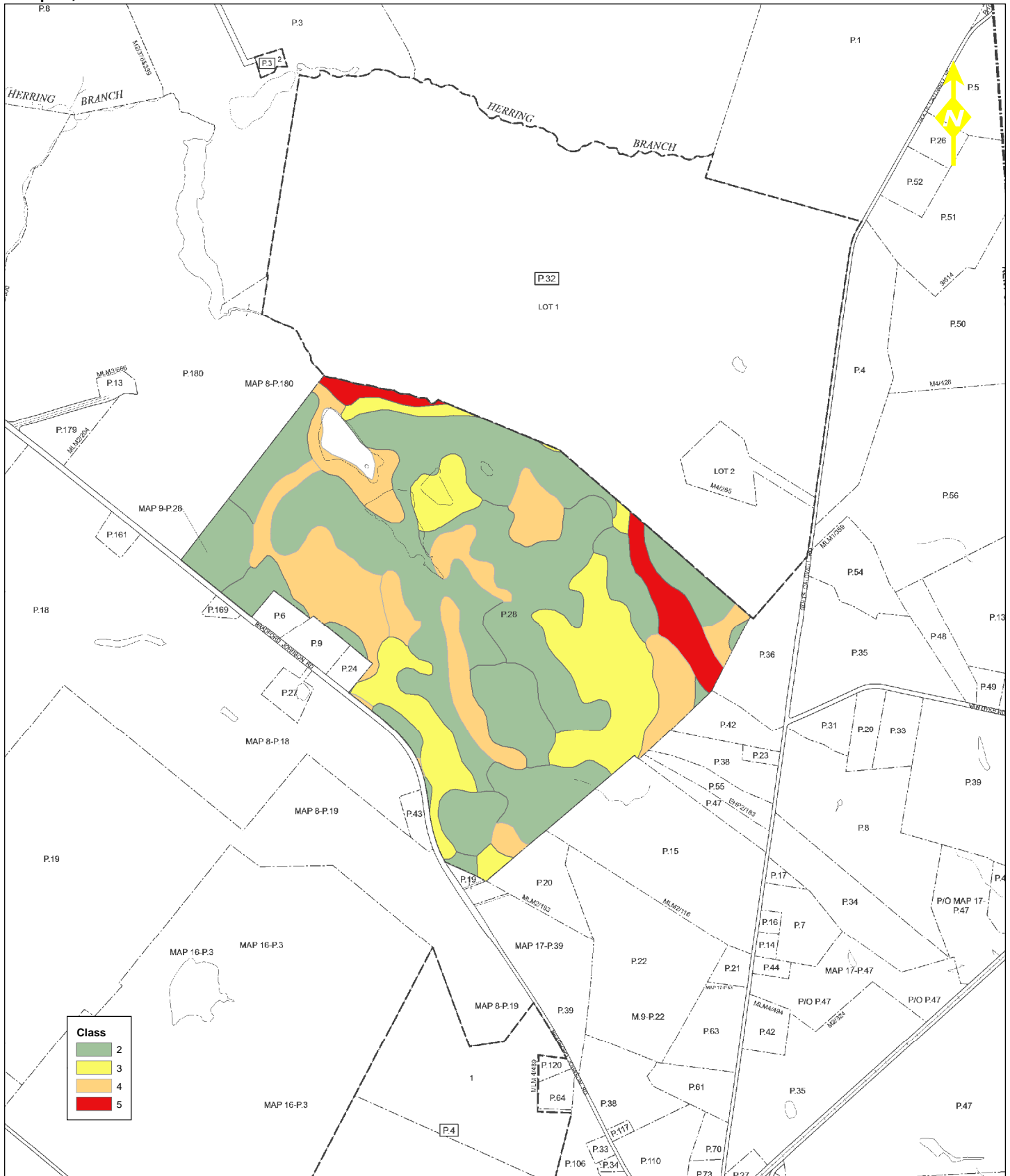
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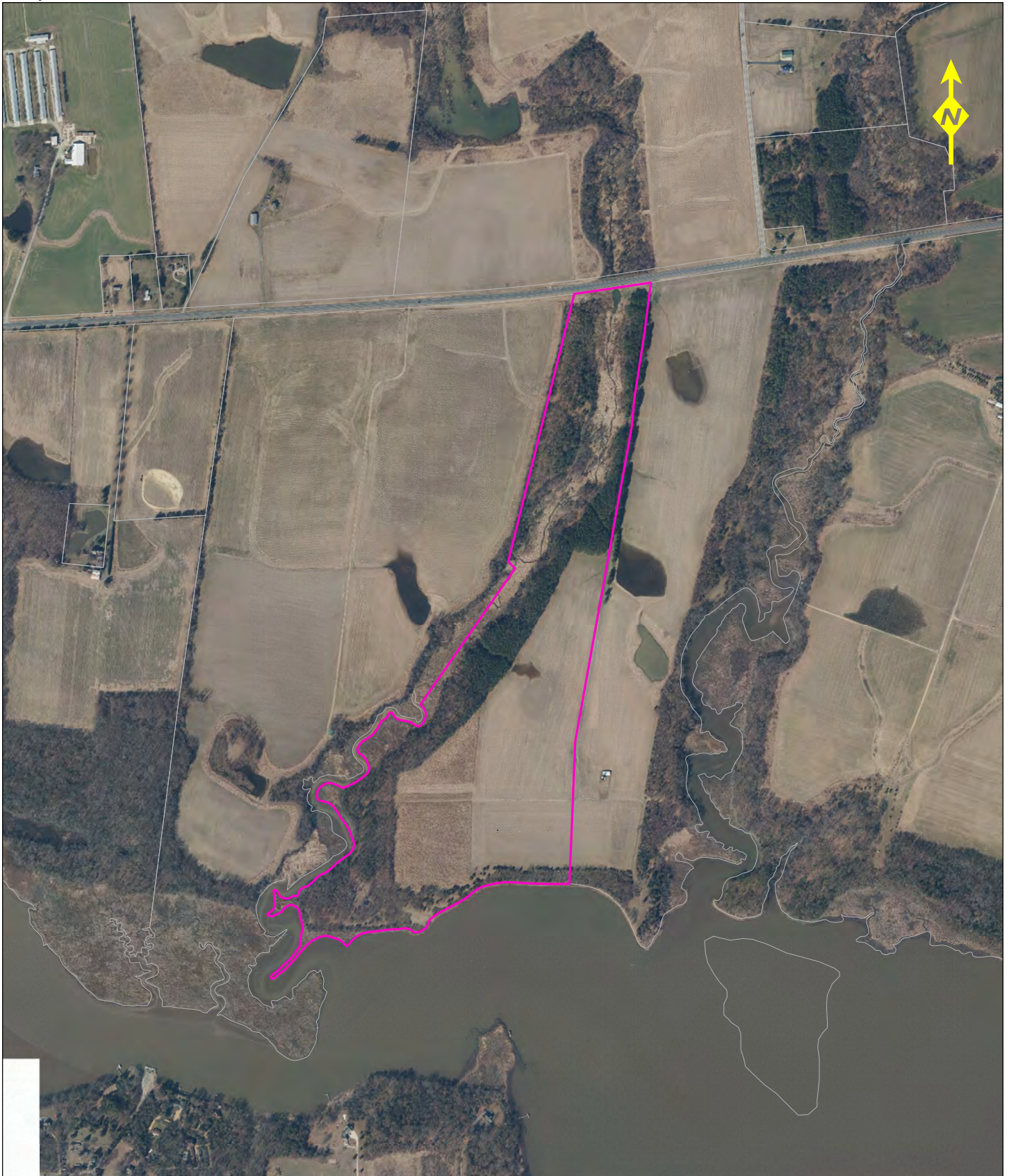
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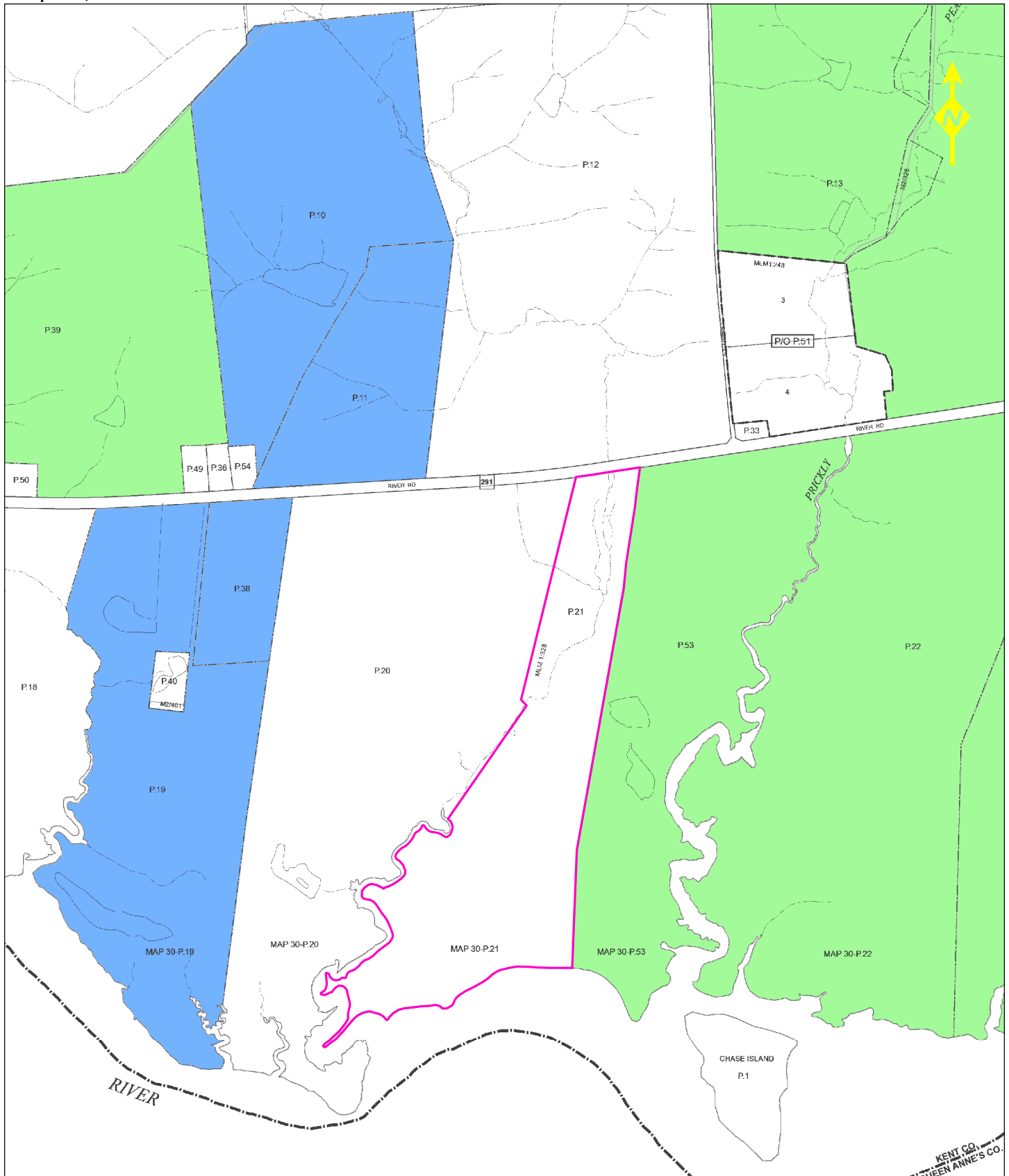
E & D Land Holdings, LLC  
29243 River Road  
Map 30, Parcel 21



Source: Kent County Department of Planning, Housing, and Zoning.  
Aerial taken Spring 2022. Map prepared December 2023.

1 inch = 1,000 feet

E & D Land Holdings, LLC  
29243 River Road  
Map 30, Parcel 21

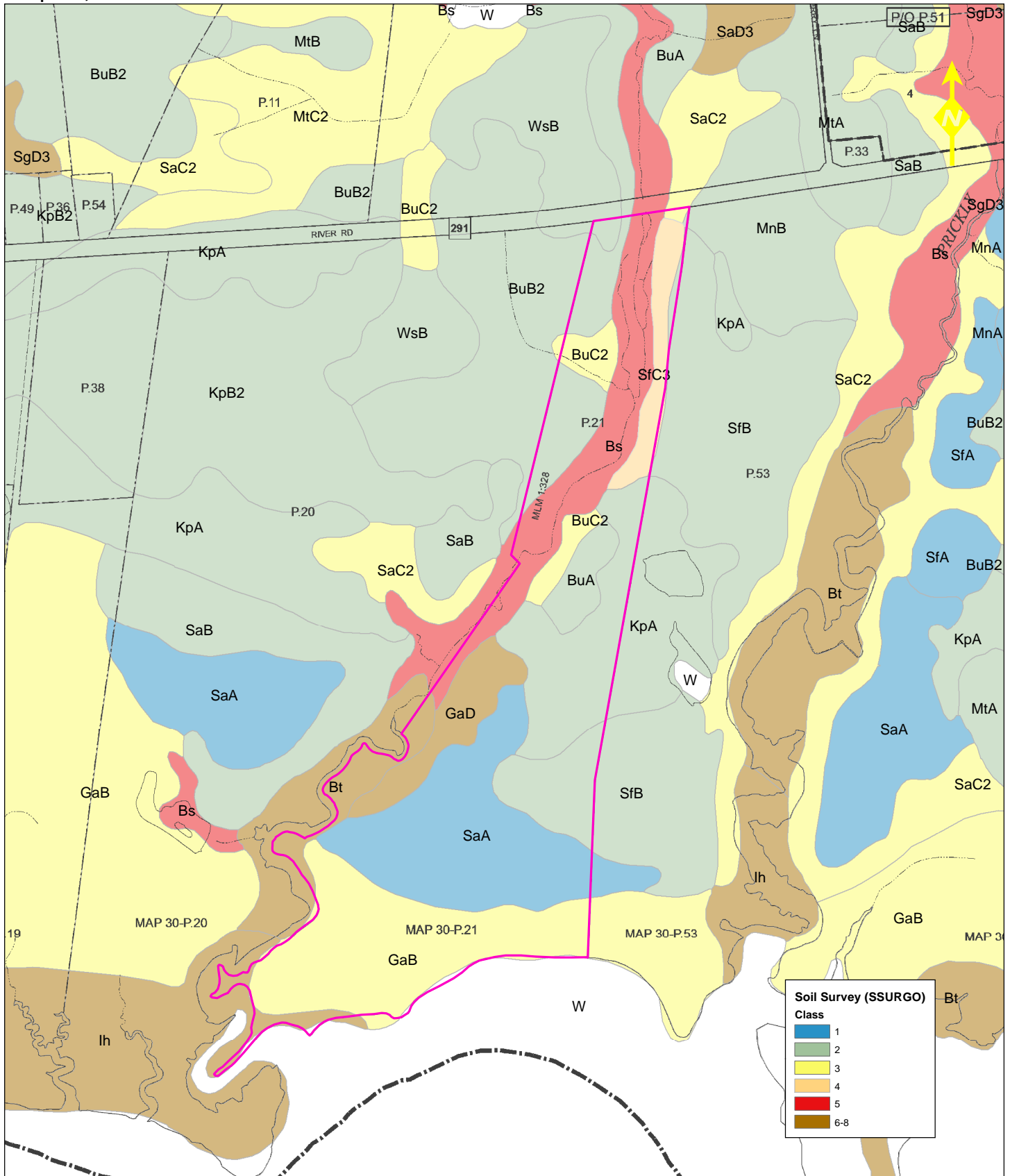


Source: Kent County Department of Planning, Housing, and Zoning.  
Aerial taken Spring 2022. Map prepared December 2023.

1 inch = 1,200 feet



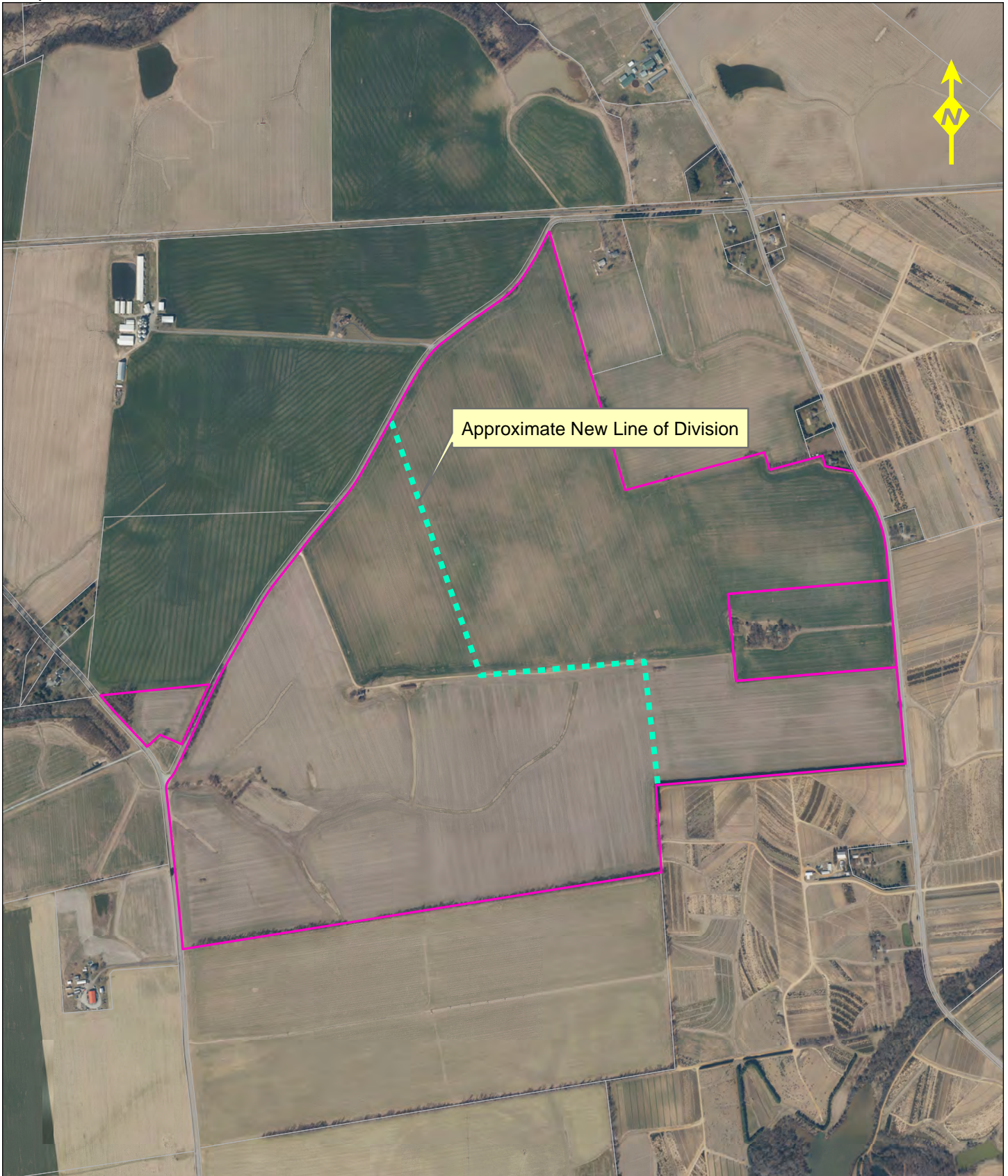
E & D Land Holdings, LLC  
 29243 River Road  
 Map 30, Parcel 21



Source: Kent County Department of Planning, Housing, and Zoning.  
 Aerial taken Spring 2022. Map prepared December 2023.

1 inch = 800 feet

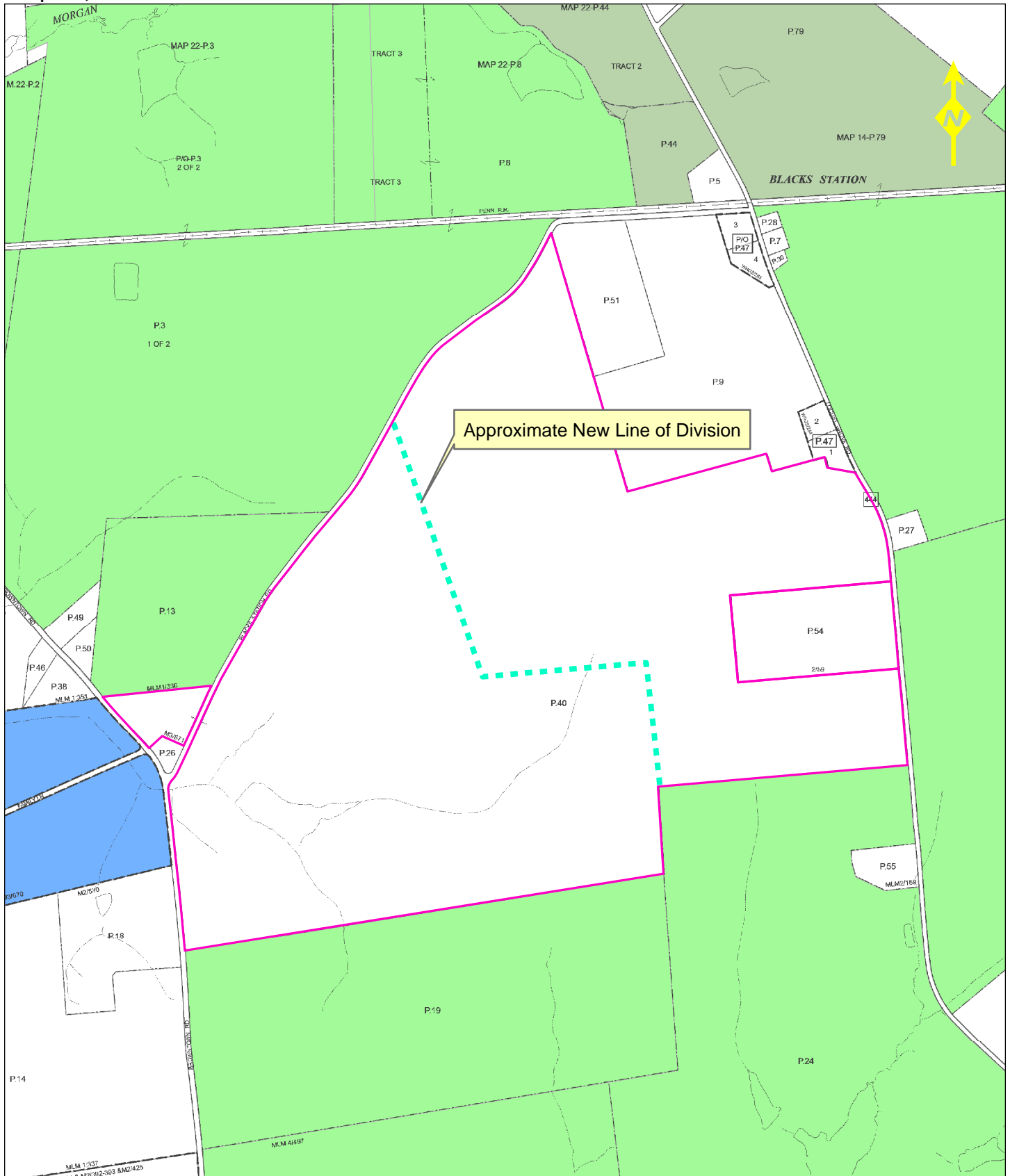
Bloomfield Ventures, LLC  
11791 Blacks Station Road  
Map 22, Parcels 40 and 54



Source: Kent County Department of Planning, Housing, and Zoning.  
Aerial taken Spring 2022. Map prepared December 2023.

1 inch = 1,200 feet

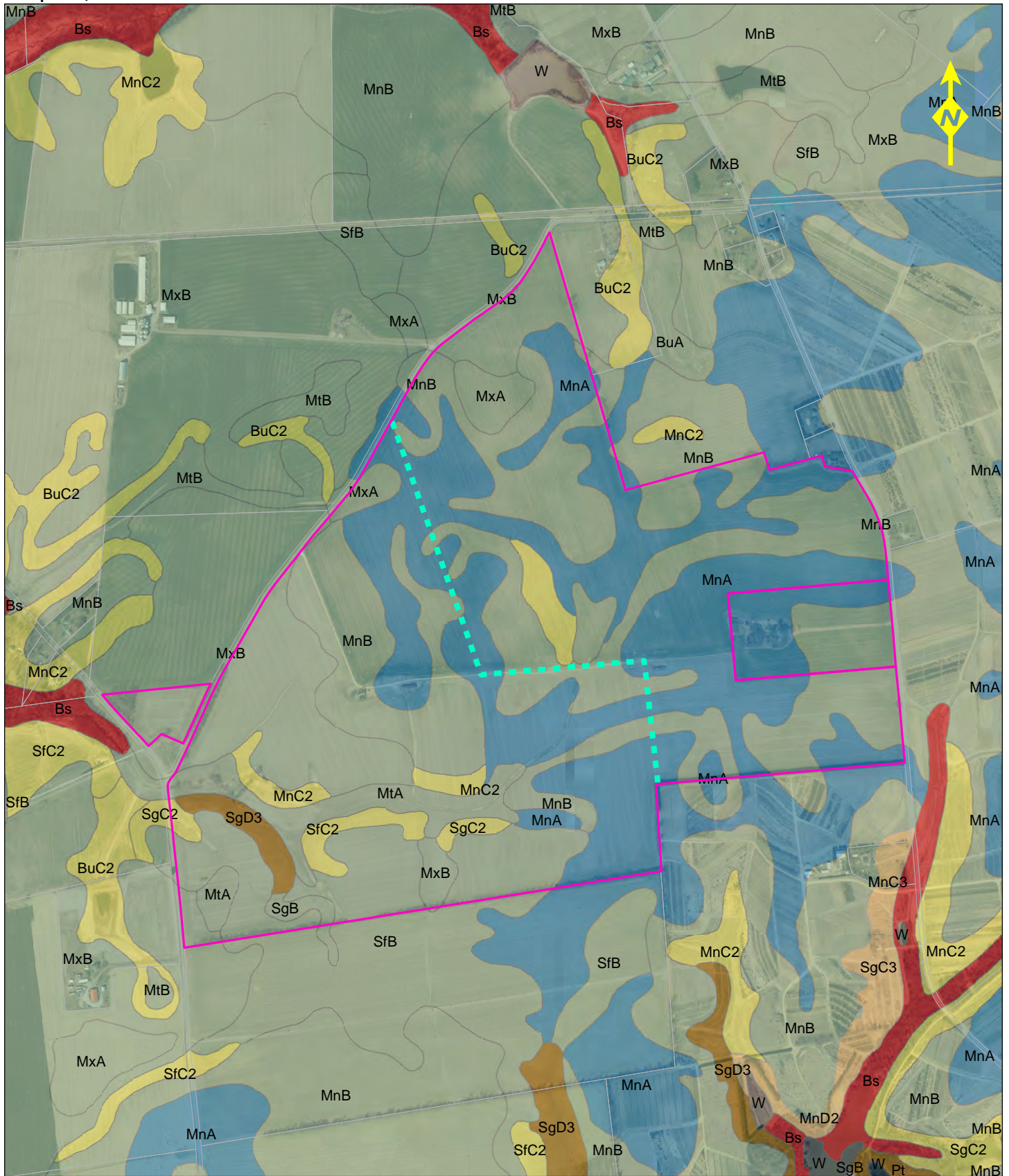
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1 inch = 1,200 feet