



**Agricultural Preservation Advisory Board**  
Department of Planning, Housing, and Zoning

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

**AGENDA**

February 21, 2023  
5:30 p.m.

Members of the public are welcome to attend meetings in person or via conference call. Please note that the County’s live stream video is temporarily unavailable.

Public participation and audio-only call-in number:

- 1. Dial **1-872-239-8359**
- 2. Enter Conference ID: **398 991 91#**

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

**Minutes – June 23, 2022**

**Ag Preservation District Applications ..... Rec to CCs**

<b>ALP Number</b>	<b>Name</b>	<b>Location</b>
22-01	Coleman, Jack	Lambs Meadow Road, Lynch
22-02	Fry Cooper Farm LLC	11471 Augustine Herman Hwy, Kennedyville
22-03	Fry Cooper Farm LLC	28151 Comegys Road, Kennedyville
22-04	Hill, David	12192 Kennedyville Road, Kennedyville
22-05	Jackman, Chris	12986 Augustine Herman Hwy, Kennedyville
22-06	Lester C. Jones and Sons, Inc	13121 Massey Road, Massey
22-07	Lester C. Jones and Sons, Inc	Speer Road, Millington
22-08	Owings and Sons Business Trust	29960 Morgnec Road, Kennedyville, Lots 1 and 2
22-09	Rich Levels at Mill Creek LLC	32269 Galena Sassafras Road, Galena
22-10	Wiltbank, Thomas	10187 Augustine Herman Hwy, Chestertown

**Recertification Report ..... Rec to CCs**

**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 Thursday, June 23, 2022, in the County Commissioners' Hearing Room. The following members were in attendance: David Hill, Chairman, Davidson Coleman, Tyler Gale, and Ernest "Tot" Strong. Carla Gerber, Deputy Director, was also in attendance.

The meeting was called to order at 5:35 p.m.

**MINUTES**

The minutes of the meeting on March 23, 2022, were approved as written and distributed.

**APPLICATIONS FOR REVIEW:**

**FY23 Easement Application Rankings**

Ms. Gerber reviewed the FY2023 Easement Application Rankings. Ms. Gerber reported that 16 applications were received to sell an easement, and all could be submitted for appraisal and consideration. However, the County is still required to rank the applications for determining Round 1 easement offers.

After discussion, the Board voted on each application and recommended the applications be submitted to MALPF for appraisal. Mr. Coleman recused himself from the vote on his farm, and Mr. Strong recused himself from the vote on his brother and sister's farm.

**Janet Bernardy – Accessory Farm Dwelling**

Mrs. Bernardy, whose farm is in an Ag Preservation District, would like to construct an accessory farm dwelling for her daughter. The home will be near an accessory farm dwelling occupied by Mrs. Bernardy. The principal dwelling is occupied by her son. The members found the location to be consistent with the MALPF Lot Location guidelines. Mr. Strong made a motion to approve which was seconded by Mr. Coleman.

**GENERAL DISCUSSION:**

There was a brief discussion about the Comprehensive Rezoning Process.

**ADJOURN**

The meeting was adjourned at 6:00 P.M.

\_\_\_\_\_  
David Hill

\_\_\_\_\_  
/s/ Carla Gerber  
Carla Gerber



**To:** Agricultural Preservation Advisory Board  
**From:** Carla Gerber  
**Subject:** Ag District Applications and Recertification Report  
**Date:** February 15, 2023

## Memorandum

### Pending Ag Preservation Districts

All of the farms meet the size and soils criteria. Property summaries and maps are attached.

APD Number	Name	Acres	Map	Parcel	Location	Last Plan
22-01	Coleman, Jack	157.75	20	21	Lambs Meadow Road, Lynch	8/27/2009
22-02	Fry Cooper Farm LLC	194.3	21	83	11471 Augustine Herman Hwy, Kennedyville	1/11/2017
22-03	Fry Cooper Farm LLC	270	21	86	28151 Comegys Road, Kennedyville	1/31/2017
22-04	Hill, David	268.3	21	4	12192 Kennedyville Road, Kennedyville	9/26/2016
22-05	Jackman, Chris	113.18	14	3	12986 Augustine Herman Hwy, Kennedyville	4/19/2010
22-06	Lester C. Jones and Sons, Inc	192.36	16	5	13121 Massey Road, Massey	11/29/2022
22-07	Lester C. Jones and Sons, Inc	280.31	32	4	Speer Road, Millington	8/2/2016
22-08	Owings and Sons Business Trust	107.683	22	25	29960 Morgnec Road, Kennedyville, Lots 1 and 2	12/15/1997
22-09	Rich Levels at Mill Creek LLC	228.6	16	2	32269 Galena Sassafras Road, Galena	3/18/2014
22-10	Wiltbank, Thomas	300	28	42	10187 Augustine Herman Hwy, Chestertown	6/20/2011

### Recertification Report

Our last recertification period began in 2018. I submit an annual report, but every five years we are required to submit a more in-depth report. MALPF requires that the local Ag Preservation Board and County Commissioners recommend approval of recertification for another five-year term. A copy of the report I recently submitted to MALPF and the Maryland Department of Planning is attached for your review.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** ALP- 22-01  
**LANDOWNER(S):** Jack Coleman

**LOCATION:** Lambs Meadow Road, Lynch  
**TAX MAP, PARCEL #:** Map 20, Parcel 21

**SIZE:** 157.75 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 1,100 acres of districts and easements.

<b>TOTAL LAND USE:</b>	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	155	0	2.75	0	0

**DWELLINGS:** None

**GENERAL FARMING OPERATION:** Grain Farm

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Yes

<b>TOTAL QUALIFYING SOILS:</b>	<u>CLASS 1</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	45.0	102.2	8.0	155.2
PERCENT:	28.5	64.8	5.1	98.4

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2009. The owner has been notified that the plan needs to be updated.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-02  
**LANDOWNER(S):** Fry Cooper Farm LLC

**LOCATION:** 11471 Augustine Herman Hwy, Kennedyville  
**TAX MAP, PARCEL #:** Map 21, Parcel 83

**SIZE:** 194.3 acres

**RELATIONSHIP TO OTHER PRESERVED LAND:** This property is adjacent to over 14,000 acres of districts and easements.

**TOTAL LAND USE:**

	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	52.8	67.3	28.1	3.1	43

- Other includes farmstead and field buffers

**DWELLINGS:** 0 dwellings

**GENERAL FARMING OPERATION:** Dairy replacement heifer/dry cow facility, pasture and row crop

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Cash lease

**TOTAL QUALIFYING SOILS:**

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	0	117.0	4.9	121.9
PERCENT:	0	60.2	2.5	62.7

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2017.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-03  
**LANDOWNER(S):** Fry Cooper Farm LLC

**LOCATION:** 28151 Comegys, Kennedyville  
**TAX MAP, PARCEL #:** Map 21, Parcel 86

**SIZE:** 270 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 14,000 acres of districts and easements.

**TOTAL LAND USE:**

	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	145.9	50.7	26.0	10.8	36.6

- Other includes farmstead and field buffers

**DWELLINGS:** 1 dwelling

**GENERAL FARMING OPERATION:** Row crop, pasture and dairy replacement facility

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Cash lease

**TOTAL QUALIFYING SOILS:**

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	0	187.2	27.4	214.6
PERCENT:	0	69.3	10.1	79.5

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2017.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-04  
**LANDOWNER(S):** David A. Hill

**LOCATION:** 12192 Kennedyville Road, Kennedyville  
**TAX MAP, PARCEL #:** Map 21, Parcel 4

**SIZE:** 268.3 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 4,800 acres of districts or easements.

<b>TOTAL LAND USE:</b>	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	245.8	0	22.5	0	0

**DWELLINGS:** 0 dwellings

**GENERAL FARMING OPERATION:** Grain

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Yes

<b>TOTAL QUALIFYING SOILS:</b>	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	64.4	174.7	11.1	250.2
PERCENT:	24.0	65.1	4.2	93.3

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2016.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-05  
**LANDOWNER(S):** Chris Jackman

**LOCATION:** 12986 Augustine Herman Hwy, Kennedyville  
**TAX MAP, PARCEL #:** Map 14, Parcel 3

**SIZE:** 113.18 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 14,000 acres of districts and easements.

<b>TOTAL LAND USE:</b>	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	60	5	45	0	3

**DWELLINGS:** 2 dwellings

**GENERAL FARMING OPERATION:** Grain Farm

**PART OF LARGER OPERATION:** No

**OWNER OPERATED:** Yes

<b>TOTAL QUALIFYING SOILS:</b>	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	0.0	47.6	29.1	76.7
PERCENT:	0.0	42.1	25.7	67.7

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30 and Resource Conservation District (RCD), base density 1:20

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2010. The owner has been notified that the plan needs to be updated.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-06  
**LANDOWNER(S):** Lester C. Jones and Sons, Inc. (Sean Jones)

**LOCATION:** 13121 Massey Road, Massey  
**TAX MAP, PARCEL #:** Map 16, Parcel 5

**SIZE:** 192.36 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 1,000 acres of districts or easements, and Cypress Branch State Park

**TOTAL LAND USE:**

	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	183.1	0	0	7.3	2

**DWELLINGS:** 1 dwelling

**GENERAL FARMING OPERATION:** Grain and some vegetables

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Yes

**TOTAL QUALIFYING SOILS:**

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	44.8	117.5	7.7	170.0
PERCENT:	23.3	61.1	4.0	88.4

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2022.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-07  
**LANDOWNER(S):** Lester C. Jones and Sons, Inc. (Sean Jones)

**LOCATION:** Speer Road, Millington  
**TAX MAP, PARCEL #:** Map 32, Parcel 4, Lot 1

**SIZE:** 280.31 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 1,000 acres of districts or easements, and Cypress Branch State Park

**TOTAL LAND USE:**

	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	216.5	0	63.81	0	0

**DWELLINGS:** 0 dwellings

**GENERAL FARMING OPERATION:** Grain and some vegetables

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Yes

**TOTAL QUALIFYING SOILS:**

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	27.1	172.6	23.3	233.0
PERCENT:	9.7	61.6	8.3	79.5

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2016.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-08  
**LANDOWNER(S):** Owings and Sons Business Trust

**LOCATION:** 29960 Morgnec Road, Kennedyville  
**TAX MAP, PARCEL #:** Map 22, Parcel 25, Lots 1 and 2

**SIZE:** 107.683 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 14,000 acres of districts and easements.

<b>TOTAL LAND USE:</b>	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	107.684	0	0	0	0

**DWELLINGS:** 0 dwellings

**GENERAL FARMING OPERATION:** Grain Farm

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Yes

<b>TOTAL QUALIFYING SOILS:</b>	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	33.0	71.6	3.0	107.7
PERCENT:	30.6	66.5	2.8	100

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 1997. The owner has been notified that the plan needs to be updated.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-09  
**LANDOWNER(S):** Rich Levels at Mill Creek LLC (Davis)

**LOCATION:** 32269 Sassafras Caldwell Road, Galena  
**TAX MAP, PARCEL #:** Map 16, Parcel 2

**SIZE:** 228.6 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is not adjacent to any districts or easements.

**TOTAL LAND USE:**

	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	?	?	?	?	?

**DWELLINGS:** 0 dwellings

**GENERAL FARMING OPERATION:** Grain

**PART OF LARGER OPERATION:** Yes

**OWNER OPERATED:** Yes

**TOTAL QUALIFYING SOILS:**

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	62.4	109.5	8.6	180.6
PERCENT:	27.3	47.9	3.8	79.0

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2014.

**RECOMMENDATION:** Staff recommends approval.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT  
STAFF REPORT SUMMARY**

**FILE #:** APD - 22-10  
**LANDOWNER(S):** Thomas A. Wiltbank, et al

**LOCATION:** 10187 Augustine Herman Hwy, Chestertown  
**TAX MAP, PARCEL #:** Map 28, Parcel 42

**SIZE:** 300 acres

**RELATIONSHIP TO OTHER PRESERVED LAND** This property is adjacent to over 5,000 acres of districts and easements.

<b>TOTAL LAND USE:</b>	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	250.3	0	19.7	15	15

- Other includes dwellings, buildings and pond

**DWELLINGS:** 4 dwellings

**GENERAL FARMING OPERATION:** Grain Farm

**PART OF LARGER OPERATION:** No

**OWNER OPERATED:** Yes

<b>TOTAL QUALIFYING SOILS:</b>	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>= TOTAL</u>
ACRES:	22.5	173.8	59.2	255.5
PERCENT:	7.5	57.9	19.7	85.2

**COUNTY ZONING/DENSITY:** Agricultural Zoning District (AZD), base density 1:30 and Resource Conservation District (RCD), base density 1:20

**DEVELOPMENT PRESSURE:** Moderate

**ACREAGE WITHHELD:** No

**OTHER INFORMATION:** Farm is located within the Priority Preservation Area. The Soil and Water Conservation Plan was last updated in 2011. The owner has been notified that the plan needs to be updated.

**RECOMMENDATION:** Staff recommends approval.

Annual Certification Report Template based on the 2020 Revision of the Regulations for Certification of County Agricultural Land Preservation Programs:

**FOR ALL ANNUAL CERTIFICATION REPORTS from CERTIFIED COUNTIES  
(Not for Initial Certification Requests)**

Code References are to COMAR Title 34, Subtitle .03, Chapter .03,  
Certification of County Agricultural Land Preservation Programs

**County: KENT**

**I. Financial Reporting.** An annual report must include a financial report that:

- A. Is made on the financial reporting form (available from the Department of Planning) that has been verified and signed by the county's chief financial officer or by an independent auditor (.10.B(1)).
- B. Includes, for the fiscal year reported on, an accounting of the revenues and expenditures for the county's agricultural land transfer tax account (.10.B(1)(a));
- C. Identifies revenue sources for, and expenditures of, all other funds used during the fiscal year to purchase development rights, provide financial enhancements for the purchase of development rights, or administer the county program (.10.B(1)(b));
- D. Includes, for each reported expenditure, a statement that the expenditure was made inside or outside the county's Priority Preservation Area ("PPA") (.10.B(1)(c)(i)); and
- E. Includes, for each reported expenditure, a statement that the expenditure was a qualifying or nonqualifying expenditure as defined by COMAR 34.03.03.02<sup>1</sup> (.10.B(1)(c)(ii)).
- F. Includes information sufficient for MDP and MALPF to determine if the county is:
1. Meeting its qualifying expenditures commitment (.10.B(1)(d)(i)); and
2. Using for permitted uses the additional agricultural land transfer tax retained by the county due to its certification (.10.B(1)(d)(ii)).

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<sup>1</sup> (16) "Qualifying expenditures" means expenditures of county funds by a county to:

- (a) Purchase a development right;
- (b) Provide bond annuity funds or matching funds for the purchase of a development right;
- (c) Guarantee loans that are collateralized by a development right;
- (d) Provide additional financial incentives to agricultural land owners to sell a development right; or
- (e) Pay allowable administrative expenses as provided in Tax-Property Article, §13-306(c)(5), Annotated Code of Maryland.

**II. Changes to a County Priority Preservation Area.** An annual report must disclose whether, during the reporting period, the county has:

- N/A   A. Revised the boundary of its PPA (.11.A(1));
- N/A   B. Subtracted land from its PPA (.11.A(2)); or
- N/A   C. Adopted zoning that increases the allowable nonagricultural land uses, density, or intensity of development within its PPA (.11.A(3)).

**III. Inventory.** An annual report must include an inventory, in digital and tabular form, that identifies (.10.B(2)):

- X   A. All properties located within the county that have been permanently preserved by a recorded land preservation easement (.05.D(8)(a));
- X   B. Whether each preserved property is located within or outside of the PPA (.05.D(8)(b));
- X   C. For each property identified (.05.D(8)(c)):
  - X   1. The number of each tax map on which the parcel appears (.05.D(8)(c)(i));
  - X   2. Each grid cell number of each tax map on which the parcel appears(.05.D(8)(c)(ii));
  - X   3. The parcel number that identifies the property on each tax map (.05.D(8)(c)(iii));
  - X   4. The tax account identification number (.05.D(8)(c)(iv));
  - X   5. The total number of acres under easement (.05.D(8)(c)(v));
  - X   6. The date on which the easement became effective (.05.D(8)(c)(vi));
  - X   7. The preservation program or entity that holds the easement (.05.D(8)(c)(vii));
  - X   8. The means through which the easement was acquired, such as through purchase, transfer of development rights between private parties, or another means specified by the county (.05.D(8)(c)(viii)); and
  - X   9. The easement purchase price, if the easement was purchased through or with financial assistance from a government program(.05.D(8)(c)(ix)).

**RECERTIFICATION APPLICATION ONLY**

**I. The final annual report of a certification or recertification period, which will also serve as an application for recertification, must state whether during the period of certification the county has:**

- X   A. Maintained a successful program for the purchase of development rights or of financial enhancements related to the purchase of development rights (.07.B(1)(a));

Kent County has an active farming community that is interested in preserving agricultural and resource land. The County regularly has more applicants wanting to sell an easement than funding available. Although funding above the minimum requirement has not been committed in the past five years, the County Commissioners continue to support the program.

- N/A   B. Made reasonable progress on any recommendations or improvements identified in the county's most recent program development strategy (.07.B(1)(c)); and

- X   C. Preserved agricultural and forest land and managed subdivision and conversion of agricultural and forest land consistent with State and county goals and plans for land preservation and environmental protection (.07.B(1)(d));

The rate of subdivision and development activity in general remains low, and more land is preserved per year than is developed. With the exception of one 24 lot subdivision that created lots around a development of existing townhouses and duplexes, only five lots have been created in agricultural or resource areas and seven lots have been created in development areas from 2018 through 2021. The existing development that was subdivided is former military housing that has public water and sewer but is within the Agricultural Zoning District because it is isolated from other development. As for preservation, almost 4,500 acres have been permanently preserved in the same time. Over 25% of the unincorporated area is protected by some type of easement and almost 4.5% of the unincorporated area is publicly owned.

**II. The final annual report of a certification or recertification period must also:**

- A. Show that both the county agricultural preservation advisory board and the county governing body:
1. Have determined that the county program is effective in preserving agricultural and forest land (.04.B(1)(a)); and
2. Approve the county's application for recertification of the county program (.04.B(1)(b)).

Letters will be sent as soon as possible.

- X   B. Include a map of all agricultural and forest lands preserved in the county, including those preserved both during and before the certification period, showing those properties in relation to the PPA (.10.B(3)(a));

Map is included at the end of the report. Easements by year are shown for 2018-2021. There are additional properties with offers from MALPF but settlement has not occurred at this time.

- N/A   C. Describe any changes in either the county's PPA or the PPA element of the county's comprehensive plan (10.B(3)(c));

The County has not made any changes to the PPA since it was adopted.

- X   D. Include an updated evaluation of the county program that:  
(1) Addresses the effectiveness of the county's zoning and land management practices to: (i) limit the adverse impacts of subdivision and development of agricultural and forest land; (ii) allow for the timely acquisition of land preservation easements on agricultural and forest land; and (iii) achieve the preservation goals set forth in COMAR 34.03.03.03 before development excessively compromises agricultural and forest resource lands; and

- X   (2) With respect to achieving the preservations goals: (i) identifies the strengths and weaknesses in the county's zoning and land management practices and the county program; (ii) includes a discussion and analysis of all identified weaknesses; and (iii) identifies the county's plans and actions to make improvements to the county's zoning and land management practices and the county program. (.10.B(3)(d));

The County has not any changes to zoning or land management practices that affect the Agricultural Zoning District since the last review. The rate of subdivision throughout the County is extremely low and more land is preserved per year than is developed.

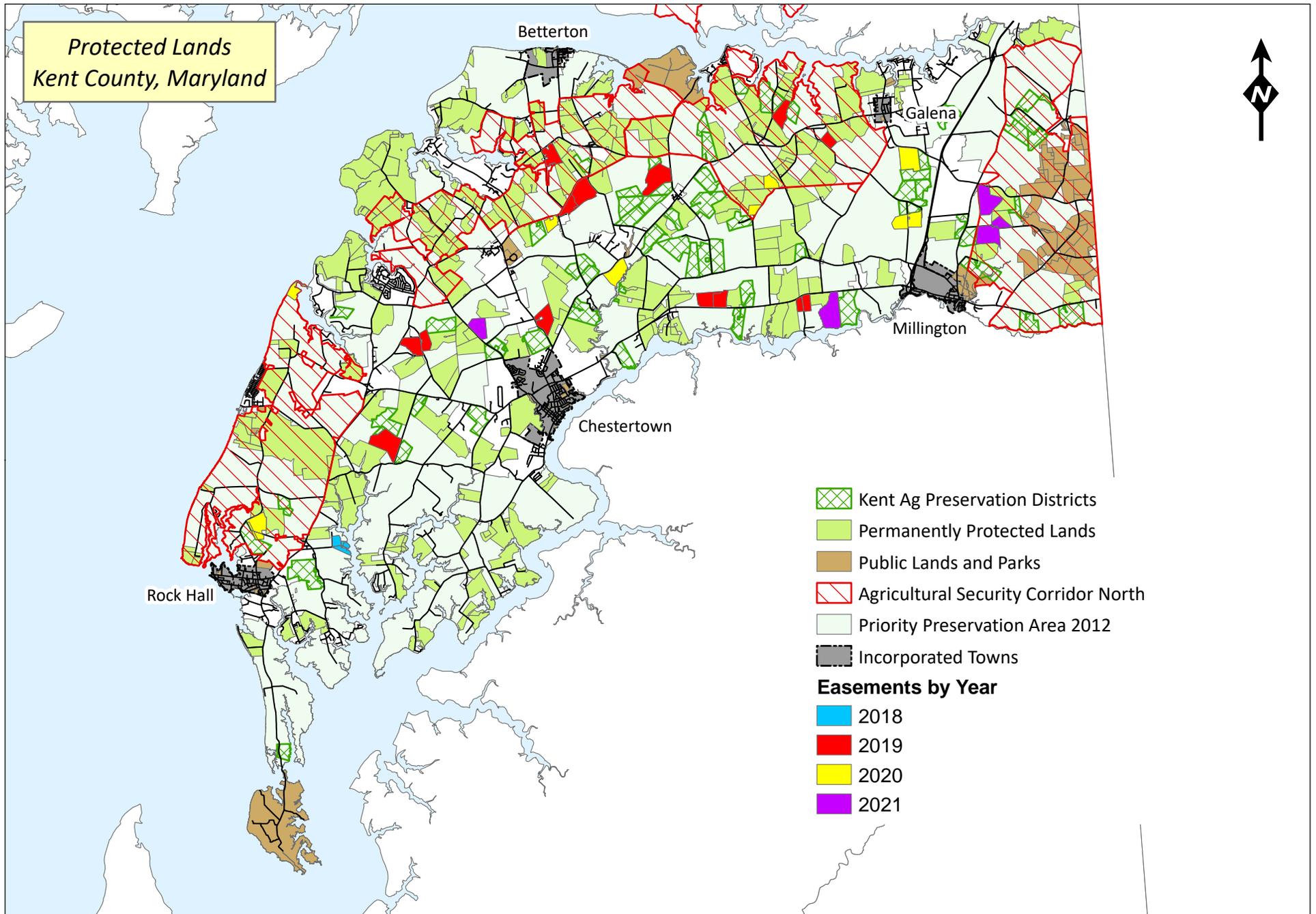
- X   E. If the county determines in its updated program evaluation that changes are needed to the county program, include an updated strategy to improve the development of the program; (.10.B(3)(e)); and

The County is not considering any changes to its implementation of the ag preservation program. Interest remains strong among landowners and the County will continue to require local ag preservation districts as a prerequisite to apply to sell an easement.

- X   F. Provide an update on progress towards implementing the county's most recent program development strategy (10.B (3)(f)).

The actions and strategies identified in the last recertification will continue to inform our actions moving forward. They were:

- ☞ Continuation of land use coordination with the towns and villages to direct new development to defined growth areas;
- ☞ Evaluate methods to maintain and enhance the agricultural support services industries within the County in collaboration with economic development strategies;
- ☞ Review existing regulations to assess their impact on agricultural operations;
- ☞ Continue to support and collaborate with the Eastern Shore Land Conservancy and evaluate ways to increase funding and easement acquisition through Rural Legacy;
- ☞ Continue implementation of the 2018 Comprehensive Plan.



Source: Kent County Department of Planning, Housing, and Zoning.  
Map prepared January 2023.