

***AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
September 25, 2017***

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, September 25, 2017, was called to order at 7:00 p.m. by Chairman John Howe in the County Administration Conference Room of the George L. Gordon, Jr. Government Center.

Members Present: Tom Hale, John Howe, Robin Long, Marty McClevey and Benjamin Rudasill

Members Absent: Jeff Adams

Staff Present: Kathy Baker and Melannie Egan

Guests Present: Marshall Locklear, Vivian Locklear, Lester Long and Craig DeBernard

- Call to Order

Mr. Howe called the meeting to order at 7:00 pm and asked Ms. Egan to call roll.

Ms. Egan called roll and stated that there was a quorum present.

- Public Presentations

Mr. Howe asked if the public had any statements

Mr. Locklear stated that he was here to find out if the Farmer's Market regulations were going to change or remain the same.

Mr. Long stated that he had no comment.

Mr. DeBernard stated that he did not have any comment as of yet.

- Approval of Minutes – August 27, 2017

Mr. Howe asked if there were any comments or corrections of the minutes of August 27th meeting. After hearing none, he stated that he had one on page 2 on line 97 it started out with VDAX and should be changed to VDACS. Mr. Howe asked for a motion to approve the minutes as corrected from August 27, 2017.

Mr. McClevey motioned to approve.

Mr. Rudasill seconded the motion.

The motion passed 5-0 (Mr. Adams absent).

- Farmers Market

Mr. Howe wanted to modify the agenda and discuss the Farmer's Market first.

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Ms. Baker stated that the last modification on rules for Farmer Markets was a year ago and that was why it was back on the table, now was the time. One of the changes was the “producer only” requirement and Mr. Adams had requested a review on the requirement. This was the time to go through the rest of the requirements and address any concerns or questions.

Mr. Hale wanted to know about how the 125 miles requirement was decided and that North Carolina was 137 miles away and you could travel into Maryland and be within the 125 miles. It did not make sense to him.

Mr. Howe stated that it was standard for most Farmers Markets.

Ms. Baker stated that that was where the 80/20 rule came from. That the producer’s primary location must be within the 125 miles and that 80% of the produce must come from that location.

Mr. Howe asked about the producer that was in Virginia but outside of that 125, would he be able to do business.

Ms. Long answered that the producer would have to seek an exception and they would have to produce something completely different that could not be found within the 125 miles.

Mr. McClevey stated that it was meant to be “local” grown not Virginia grown.

Mr. Howe stated King George markets want you to grow in King George only.

Mr. Hale clarified that King George began as a King George only, but had since backed off of that position.

Mr. DeBernard stated that Fredericksburg would not let him in and could bring King George, not Stafford. It was their rules and he had to abide by them. He also stated that the original 125 mile rule came from Dale City a long time ago. He then stated that he had an orange grove in Florida and he does bring them back to sell them.

Mr. Hale asked about wayside stands.

Ms. Baker stated that Wayside stands were a permitted use as long as the stand is on their own property and run by the owner and it was a by right use.

Mr. Rudasill agreed that a one man stand was okay because you could sell what you grew on your own property. Then he stated to Mr. DeBernard that that was the reason they established the 80/20 rule.

Mr. DeBernard stated that he could prove that the oranges were his and he wanted to sell them. And as long as he had a letter proving that they were grown on his land, he should be able to do it. He liked the 80/20 rule and it worked for him.

Mr. Rudasill said that Farmer Markets was not going to Florida and buying and reselling it here - that would be considered a produce stand.

Mr. Howe asked Mrs. Long how the 80/20 rule was working at her Farmer’s Market?

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Mrs. Long stated that it was going very well, she had only one vendor using the 80/20 and that the vendor was doing very well and she was pleased overall and felt the ordinance was working well. The only issue she has had is having to turn dog owners away, but had an option to take care of the dogs while the customer shopped and that seemed to be working very well, with very few issues.

Ms. Baker asked the committee if they wanted to hold off on the discussion because Mr. Adams was not present and he was the one who wanted to bring this to the table.

Mr. Locklear suggested the committee look into growers permits that allows a grower to sell anywhere in the United States.

The discussion continued with more clarifying information about the 80/20 rule.

Mr. Howe asked for a motion to approve the rules as it was, or a motion to change the rules, or for a motion to table the discussion until October.

Mr. Rudasill motioned to table the discussion until October.

Mr. McClevey seconded the motion.

The motion passed 3-1 (Mr. Adams absent, Ms. Long abstained)

- Staff Update
 - PDR Program and PDR Funds

Ms. Baker started the discussion by giving out an overall map which showed the areas for the applications. Five properties were in George Washington, five in Hartwood, one in Aquia and one in Griffis-Widewater. Two of the properties are in the A-2 zone which allows one acre lots and the calculations are a little bit different. She then gave a summary of each application:

Jones- Three Parcels with a total of 76 A-1 acres, 15 development rights totaling 375K. There were two dwellings units, and the railroad tracks run through the property. Current uses were cattle and hay.

Littlejohn- Three Parcels with a total of 49 A-1 and A-2 acres, 27 development rights totaling 675K. There was one dwelling and the current uses were horses, grazing and a Civil War affiliation with this property. Ms. Baker would take this property to the Historical Committee for their input and to help with ranking.

Johnson- One parcel with 21 A-1 acres, five development rights totaling 125K. There was one dwelling and the current use was hay. This was a previous 2009 applicant. This parcel had some development limitations, could be subdivided for family but would have issues due to location on a private easement.

Secrest- One parcel with a total of 58 A-1 acres, 17 development rights totaling 425K. No dwelling and the current use was beans. The owner would like to cut out a three acre parcel for a future home.

Moore- Three parcels with a total of 52 A-1 acres, 12 development rights totaling 300K. There are no dwellings but would like to permit for two future dwellings, but our current regulations say that they could have one dwelling per 100 acres and would need follow-up discussions. Current uses were soybeans and corn and it is located next to an existing PDR easement.

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Moore Estate- One parcel with a total of 54 A-1 acres, 12 development rights, totaling 300K with no dwellings. Current use was 100% hunting forest. This property could be subdivided; however it was unlikely due to limited private road frontage.

Brent Point- Two parcels with a total of 33 A-2 acres, seven development rights totaling 175K. One dwelling and a detached garage that had a residence over it. This property was in a trust and was next to Widewater State Park and has frontage but was wooded.

Snyder- Two parcels with a total of 45 A-1 acres, nine development rights, totaling 225K with two dwellings, one on each of the parcels and a garage apartment, and one of the parcels has a pre-civil war house. Current uses were hay and timber.

Shelton- One parcel with a total of 81 A-1 acres, 19 development rights totaling 475K. Current uses were cattle and hay.

Harris- 122 A-1 acres, 35 development rights totaling 875K. Current uses were soybeans, farming and hay. The property was adjacent to an easement from the last PDR round. This property would exclude three acres for one future dwelling. It does also have some cultural resources associated with Spotted Tavern Farm and Burdis Post Office that is early 20th century.

Beach- One parcel with a total of 32 A-1 acres, nine development rights totaling 225K. Current uses were cattle and hay with a barn.

Caton- One parcel with a total of 30 A-1 acres, seven development rights totaling 175K. Current uses were hay and horses with one dwelling.

Ms. Baker continued by stating that the information was just an overview, and the determination of the hydric soils and steep slopes and how they were deducted from the calculations would be done over the next month. The next meeting may need to be in the ABC Conference room so the committee could look and study all of the pictures. We would use the GIS system on the county website to look at layers, buffers, wetlands, aeriels and zoom for a closer look. The total of all the properties was 658 acres and amounted to 4.2 million dollars needed to purchase all of the easements. There is 775K available in County funds. She would continue to look for new matching grants and monies in the meantime. The Virginia Department of Agricultural and Consumer Services had only about 250K which would be split for any applicants statewide. In late November, the Federal US Department of Agricultural Consumer Services and Natural Resources Conservation would have 600k available. The next meeting would be for preliminary rankings, and then meeting with the owners to give everyone a chance to make final revisions. November's meeting would be for finalizing the top picks.

Mr. Howe stated that he was very impressed by the amount of information already gathered and presented. He then asked about Harris and Secrest and the acreage they were going to hold back for future dwellings.

Ms. Baker clarified that the Harris and Secrest numbers already reflect the deducted acreage that the owners wanted to keep for potential future dwellings.

Mr. McClevey asked if the state park planned on expanding with additional acres.

Ms. Baker stated, not at this time, there was no money.

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Mr. Howe asked if there were any other questions on the PDR applications, and hearing none, moved on to the A-1 discussion.

Ms. Baker stated that the Board of Supervisors did refer to the Planning Commission to develop a list of A-1 uses and existing uses to determine if there were uses that should not be in the A-1 district. Some of the concern was slaughter houses. A lot of the conditional uses such as childcare, airports and kennels would have to go through Public Hearing with the Planning Commission and the Board of Supervisors in order to have that use in the A-1 zone. The Planning Commission was most likely going to come up with a subcommittee, and staff wanted to know if one of the members of the PDR Committee would want a representative to be part of that committee. The formed committee would be going through each of the uses and that would take a couple of months to strike some of them and or to move some of them to a conditional use permit requirement.

The committee continued to discuss slaughter houses and the definition. They discussed the minimum acre size for a slaughter house that would not be offensive to neighborhoods. They discussed the types of slaughter houses, one being not for resale and one being USDA. They continued to talk about feed lots and the size of lots that should not be allowed to have them, along with lot sizes for chickens or bees. Ms. Baker stated that she would provide them better information as the information regarding feed lots looked more like heavy duty commercial use. They discussed portable saw mills, vineyards and wineries and Ms. Baker stated that most of the uses and definitions may just need to be updated. She said that microbreweries are now allowed in A-1 agricultural lands. People were complaining about the subdivisions that were now close to farms. Ms. Baker clarified that the Commission was looking for the removal or amendment of current uses, lot size for uses, possible setbacks, etc. for A-1 zones. Ms. Baker will report back after she gathered more information from the Commission.

The committee agreed that they did need a voice on that sub-committee, someone with ag experience.

Ms. Long motioned for Mr. Howe to be the voice on the sub-committee.

Mr. Rudasill seconded the motion.

The motion passed 4-0 (Mr. Adams absent and Mr. Howe abstained).

Mr. McClevey reminded the committee that Culpeper was having their Fall and Harvest Farm Tour on October 7th and 8th and encouraged all to attend.

- Next Meeting

October 23, 2017

- Adjournment

With no further business to discuss, Mr. Howe declared the meeting adjourned at 8:23p.m.