

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2017-09

BILL NO. 2017-12

Title of Bill: Agricultural Preservation District - Appledale Farm

Synopsis: A Bill to approve the petition of George and Barbara Balog for property located at 134 Warburton Road, North East, MD 21901, also known as Appledale Farm (Tax Map 19, Grid 15, Parcels 61 and 487) requesting the establishment of an agricultural preservation district.

Introduced by: Council President at the request of the County Executive

Introduced and order posted on: May 2, 2017

Public hearing scheduled on: June 6, 2017 at 7:00 p.m.

Consideration scheduled on: June 20, 2017

By: James Massy
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by May 2, 2017 at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on May 24, 2017 and May 31, 2017, a public hearing was held on June 6, 2017 and concluded on June 6, 2017.

By: James Massy
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.
{Brackets} indicate matter deleted from existing ordinance.
Underlining indicates language added to ordinance by amendment.
~~Strike through~~ indicates language stricken out of an Ordinance by amendment.

1 **WHEREAS**, pursuant to Section 2-501-502 of the Agriculture Article of the Annotated Code of
2 Maryland, the Maryland Agricultural Land Preservation Foundation (MALPF) was established in the
3 Department of Agriculture to protect agricultural land and woodland as open-space land; and

4 **WHEREAS**, pursuant to Section 2-504.1(a), in each county containing productive agricultural land,
5 the county governing body shall appoint an agricultural preservation board; and

6 **WHEREAS**, the county agricultural land preservation board shall advise the county governing body
7 with respect to the establishment of agricultural districts; and to approve or disapprove an application for
8 certification; and

9 **WHEREAS**, pursuant to Section 2-509(b)(1-2) one or more owners of land actively devoted to
10 agricultural use may file a petition with the county governing body requesting the establishment of an
11 agricultural district; and shall refer the petition or application to the county agricultural land preservation
12 board and to the county planning and zoning body; and

13 **WHEREAS**, the county agricultural land preservation board shall advise the county governing body
14 as to whether or not the land in the proposed district or proposed easement meets the qualifications
15 established by MALPF; and whether or not the board recommends establishment of the district; and

16 **WHEREAS**, the county planning and zoning body shall advise the local governing body as to
17 whether or not establishment of the district is compatible with existing and approved county plans and
18 overall county policy, and whether or not the planning and zoning body recommends establishment of
19 the district; and

20 **WHEREAS**, if either the county agricultural land preservation board or the planning and zoning
21 body recommends approval, the county governing body shall hold a public hearing on the petition; and

22 **WHEREAS**, the county governing body shall render a decision as to whether or not an agricultural
23 district shall be established for this petition or application; and

24 **WHEREAS**, the Cecil County Department of Planning and Zoning has recommended approval of the
25 petition of George Balog and Barbara Balog for property located at 134 Warburton Road, North East,
26 Maryland 21901, also known as Appledale Farm (Tax Map 19, Grid 15, Parcels 61 and 487); and

27 **WHEREAS**, the Cecil County Agricultural Land Preservation Advisory Board has recommended
28 approval of the petition of George Balog and Barbara Balog for property located at 134 Warburton Road,

29 North East, Maryland 21901, also known as Appledale Farm (Tax Map 19, Grid 15, Parcels 61 and 487);
30 and

31 **WHEREAS**, the Cecil County Planning Commission has recommended approval of the petition
32 George Balog and Barbara Balog for property located at 134 Warburton Road, North East, Maryland
33 21901, also known as Appledale Farm (Tax Map 19, Grid 15, Parcels 61 and 487); and

34 **WHEREAS**, pursuant to Section A385-3 Standards, in Chapter A385. Purchase of Development
35 Rights Program and Fund, in the Code of Cecil County, the Cecil County Purchase of Development Rights
36 Program allows a landowner the option of establishing an agricultural preservation district, a minimum of
37 five-year agreement by the landowner not to develop the land and sets standards.

38 **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the County Council of Cecil County, Maryland, that
39 the petition of George Balog and Barbara Balog for property located at 134 Warburton Road, North East,
40 Maryland 21901, also known as Appledale Farm (Tax Map 19, Grid 15, Parcels 61 and 487) is approved for
41 the establishment of an agricultural preservation district.

42 **AND BE IT FURTHER ENACTED** that this Act shall take effect in 60 calendar days from the date it
43 becomes law.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.


BY Council Manager

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is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James Massey
Council Manager

Joyce Howlsheep
Council President

Date: June 20, 2017

Date: June 20, 2017

BY THE COUNCIL

Read the third time.

Passed – LSD 2017-12

Failed of Passage – LSD _____

BY: James Massey
Council Manager

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this

21st day of June, 20 17 at 12:00 am/pm.
(within 10 business days from adoption §306)

BY: James Massey
Council Manager



BY THE EXECUTIVE
John McQuinn
Cecil County Executive

APPROVED Date: June 21, 2017

VETOED Date: _____
(within 10 business days from presentation §306)

BY THE COUNCIL

Bill No. 2017-12 having been approved by the Executive and returned to the Council becomes law

on June 21, 2017 with an effective date of August 21, 2017

BY: James Massey
Council Manager