

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Thursday, January 26, 2012**

Members present were George Allen Hayden, Robert Moreland, Randy Guy, Ronald Payne and George T. Edmonds. Alternate Mike Mummaugh was also present. Department of Land Use and Growth Management (LUGM) staff present was Phil Shire, Director; Yvonne Chaillet, Zoning Administrator; and Jada Stuckert, Recording Secretary. Attorney George Sparling was also present.

A sign-in sheet is on file at LUGM. All participants in all cases were sworn in. The meeting was called to order at 6:40 p.m.

PUBLIC HEARINGS

CUAP #10-131-022 – Knott Family Farm Meat Processing Facility

Ms. Yvonne Chaillet and Mr. Phil Shire, LUGM were sworn for the record. The applicant is requesting conditional use approval for a major agricultural industry to operate a mobile meat processing facility. The property contains 30.17 acres; is zoned Rural Preservation District (RPD); and is located at 38888 Reeves Road, Mechanicsville, Maryland; Tax Map 9, Grid 20, Parcel 159.

Owner: John R. Jr. and Donna L. Knott
Present: Chris Longmore for Mr. and Mrs. Knott, Lucille Walker, Dallas Redmann

The property and conditional use request were advertised in The Enterprise on January 11, 2012 and January 18, 2012. Ms. Chaillet submitted the certification of property posting and mailing receipts for the record, *hereby labeled as Exhibit 1 by the Recording Secretary*. Ms. Chaillet gave an overview of the staff report dated January 17, 2012 including applicable regulations such as conditional uses, use classifications, right to farm, and the agricultural industry major. Ms. Chaillet submitted the staff report for the record, *hereby labeled as Exhibit 2 by the Recording Secretary*. Ms. Chaillet stated several letters were submitted after the member packages were mailed but before the hearing tonight. Ms. Chaillet stated she has provided copies to each board member and all appropriate attorney involved and submitted copies for the record, *hereby labeled as Exhibit 3 by the Recording Secretary*. Mr. Sparling indicated the Right to Farm Ordinance was repealed and re-adopted June 21, 2011 as resolution number 2011-23.

Mr. Longmore introduced Mr. Knott, Ms. Walker and Mr. Redmann. Mr. Johnny Knott, Ms. Lucille Walker, and Mr. Dallas Redmann were sworn for the record. Mr. Walker gave an overview of the request. Ms. Walker, consultant for the applicant, gave an overview of the project and how it meets the conditional use standards in a PowerPoint Presentation. Mr. Edmonds questioned how the prepared meat gets to the consumers. Ms. Walker stated the farmer will pay Mr. Knott to process, cut, and package the meat. Ms. Walker stated the farmer then takes the meat and sells the meat however they see fit. Mr. Redmann gave an overview of the project in a PowerPoint Presentation which was also submitted for the record in advance and is listed as Staff Report Attachment 1.

Michael Nagy, representing numerous property owners in the Cedar Grove Farm and Four Meadows communities. Mr. Nagy stated after reviewing the staff report we do not believe the conditional use meets the definition of agricultural use as set forth in Chapter 90 of the Comprehensive Zoning Ordinance. Mr. Nagy stated the proposed mobile slaughter house is also not included in the Right to Farm Act. Mr. Nagy referenced normal agricultural activity. Mr. Nagy indicated this project also includes the storage and disposal of the "drop" items. Mr. Nagy stated this is where the neighbors object. Mr. Nagy stated the neighbors and families he represents do not want the "drop" items brought back to the site. Mr. Nagy asked if the web sales would continue. Mr. Nagy submitted a meat processing feasibility study for the record, *hereby labeled as*

Exhibit 4 by the Recording Secretary. Mr. Nagy requested the board deny the request as it does not meet the standards.

Bill Hammell adjoining property owner, was sworn for the record. Mr. Hammell gave an overview of the Knott farm itself in a PowerPoint Presentation. Mr. Hammell used tag line "Slaughter House". Mr. Hammell submitted a copy of the PowerPoint Presentation for the record, *hereby labeled as Exhibit 5 by the Recording Secretary.* Mr. Hammell asked that this project be denied.

BREAK

Chairman Hayden opened the hearing to public comment.

Ms. Chaillet submitted a letter from John Roach for the record, *hereby labeled as Exhibit 6 by the Recording Secretary.*

Mr. Steve Hoopengardner was sworn for the record

Mr. Hoopengardner testified in favor of the request stating the mobile unit would be a benefit to our community. Mr. Hoopengardner explained most people like knowing where our meat is coming from and that it is USDA inspected and approved. Mr. Hoopengardner explained this mobile unit will allow consumers to choose the farm their meat comes from. Mr. Hoopengardner asked that the project be approved.

Mr. John Parlett was sworn for the record

Mr. Parlett stated he is representing Agricultural, Seafood and Forestry Board. Mr. Parlett testified most people move here to enjoy the quality of life in St. Mary's County. Mr. Parlett stated the goal of St. Mary's County is to remain agricultural. Mr. Parlett stated there is a huge push for consumers to "Buy Local" and asked that the board approve this project stating it is an incredible opportunity to help preserve the rural way of life in St. Mary's County.

Mr. Greg Bowen was sworn for the record

Mr. Bowen stated he is filling in for Ms. Christine Bergmark. Mr. Bowen testified St. Mary's County Comprehensive Plan and Zoning Ordinance both encourage agricultural industry major in the Rural Preservation District. Mr. Bowen stated the revisions to the plan were to scale back to the project so there would be minimal impacts to neighboring properties. Mr. Bowen stated Southern Maryland Agricultural Commission would like to see this project approved.

Mr. Bruce Young was sworn for the record

Mr. Young stated he is representing the St. Mary's County Soil Conservation District. Mr. Young explained the revisions to the site plan as they pertain to the Soil Conservation District's approvals. Mr. Young stated the Water Quality Plan was written by Soil Conservation District and approved in 2005.

Mr. Nagy asked if the applicant had shown the required parking on the site plan would he still be exempt from the regulations. Mr. Young stated he may have had to go to a different type of plan or complete the project in phases however as long as you move in sections of 5,000 square feet or less he would have been approved.

Mr. Joseph Wood was sworn for the record

Mr. Wood stated he has been approved to sell meat at his farm and having a processing facility in the immediate area will not only save his farm time but money as well.

Mr. Sparling indicated our zoning ordinance uses the phrase "production of livestock" and asked what this means to Mr. Wood. Mr. Wood indicated this means the purchase of an animal, the care of that animal until slaughter.

Mr. Barry Roache was sworn for the record

Mr. Roache testified he's been in the County and has been farming for 32 years and he's watched the agricultural community struggle during that time. Mr. Roache indicated growth is inevitable and as far as he can see is the farmers would just like to co-exist. Mr. Roache asked that the Board approve the request.

Ms. Sally Morell was sworn for the record

Ms. Morell stressed the need for this mobile processing facility. Ms. Morell addressed the concern for property values stating she believes property values may be down in part because the agricultural industries are down as well. Ms. Morell stated we should be striving to make this area a food destination. Ms. Morell asked that the board approve this project.

Mr. Nathan Gemberling was sworn for the record

Mr. Gemberling indicated he is the president of the St. Mary's County Forest Center FFA Chapter. Mr. Gemberling testified that the small farms in St. Mary's County need to be successful and stated he is in full support of the processing facility.

Ms. Jennifer Paulk was sworn for the record

Ms. Paulk testified she and her husband are new farmers who grow and sell vegetables. Ms. Paulk stated local meat is in high demand and this mobile processing facility is desperately needed. Ms. Paulk asked that this project be approved as it is very important to support the agricultural heritage of St. Mary's County.

Mr. Mike Haigwood was sworn for the record

Mr. Haigwood stated he is the manager of a facility that processes its own chickens. Mr. Haigwood confirmed the amount of time it takes to drive the animals to a processing facility plus the amount of money it takes. Mr. Haigwood stated having a meat processing facility in the County would not only save local farmers time but money as well.

Mr. Donald Strickland was sworn for the record

Mr. Strickland stated he is representing Farm Bureau tonight. Mr. Strickland asked that the conditional use be granted.

Mr. Earl Lumpkins was sworn for the record

Mr. Lumpkins testified he has farmed all his life and is a beef farmer. Mr. Lumpkins stated farmers have adapted to all the development, all the traffic, etc. Mr. Lumpkins stated he too has to drive a very long way to have his beef processed and indicated having a processing facility in the County would be wonderful.

Mr. David Allocca was sworn for the record

Mr. Allocca testified he only has an issue with the waste disposal and he prefers that the waste product not be brought back to the farm. Mr. Allocca stated the road is very narrow and he can't imagine using a "big rig" on this road. Mr. Allocca stated he is also concerned about the noise. Mr. Allocca asked if there was an end limit as to how much slaughtering can be done. Mr. Allocca stated he questions if this is the right place for this project. Mr. Allocca stated some of the neighbors are less than 100 feet from where the processing will be done. Mr. Allocca indicated everyone who is for the project lives nowhere near the project.

Mr. Edwards Burroughs was sworn for the record

Mr. Burroughs testified he was in favor of the project to begin with however after looking more closely he is overly concerned with the width of the road and trying to navigate a tractor trailer on that road. Mr. Burroughs stated he is concerned about the noise.

Mr. Charles Baker was sworn for the record

Mr. Baker testified there is no way this one little mobile processing facility will be able to help all these farmers with their processing needs. Mr. Baker stated when Mr. Knott was recently injured and EMTs needed to access the road it was horrible.

Ms. Delores Datcher was sworn for the record

Ms. Datcher testified she grew up on a farm and has seen growth and will continue to see growth. Mr. Datcher stated she has not heard anyone discuss the health hazards and asked if the Health Department has even been contacted. Ms. Datcher asked if 10 years from now, new diseases will begin popping up due to this project. Ms. Datcher asked if federal funds are involved in this project.

Mr. Richard Howard Jr. was sworn for the record

Mr. Howard testified that his neighbors never imagined living next door to a meat processing plant. Mr. Howard quoted the standards for granting this conditional use. Mr. Howard stated this facility will be using a lot of water which will in turn lower the water table for the surrounding property owners. Mr. Howard indicated most ask that the road be paved and this one is not. Mr. Howard asked board members if they would approve of having this facility located next to their home. Mr. Howard stated this facility is not suitable near residential neighborhoods.

Mr. Hammell indicated he moved here in the 80's and yes it has grown however. Farming community is a valuable member of society. Mr. Hammell indicated if farmers are willing to work with us on this, this would be a lot better situation than what it is now. All we want to do is make sure everyone is taken care of.

Chairman Hayden hearing no other comments closed the public hearing.

The case was continued to Thursday, February 9, 2012 at 6:30 p.m.

MINUTES AND ORDERS APPROVED

The minutes of January 12, 2012 were approved as recorded.

The Board authorized the Chair to review and sign the following orders:

None

ADJOURNMENT

The meeting was adjourned at 10:05 p.m.

Jada Stuckert, Recording Secretary

Approved in open session: February 9, 2012

George Allen Hayden
Chairman