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# Worcester County Agricultural Land Preservation Advisory Board Meeting Agenda

**Date:** Tuesday, January 23, 2024

**Time:** 6:00 PM

**Location:** Worcester County Government Center, Snow Hill; Planning Commission Meeting Room, 1<sup>st</sup> Floor

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- 6:00 Call to Order/Review and approval of June 6, 2023 meeting minutes
- 6:05 FY24 Easement Purchase Cycle Update/FY25 Outreach
- 6:10 Corrective Easement Request: Aydelotte Farms, Inc., MALPF ID: 23-13-01
- 6:20 Proposed Rural Legacy Area Review/Discussion/Recommendation/s
- 6:45 Adjourn

## **Worcester County Agricultural Land Preservation Advisory Board Meeting Minutes**

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Tuesday, June 6, 2023; 6:30 PM  
Worcester County Government Center  
Snow Hill, MD 21863

### **Attendance:**

### **Advisory Board Members:**

Kathy Drew  
Kelley Gravenor  
Glenn Holland  
Alan Hudson  
Curt Lambertson  
Christian Martin  
Ed Phillips --absent

### **Staff:**

Robert Mitchell, Director, Environmental Programs  
Katherine Munson, Planner V

### **Call to Order**

The meeting was called to order at 6:30 PM.

### **Review and approval December 6, 2022 meeting minutes**

Curt Lambertson made a motion to approve the December 6, 2022 meeting minutes, Kelley Gravenor seconded the motion. Approval was unanimous.

### **FY23 Easement Purchase Cycle Update**

Katherine Munson provided information about offers and acceptances in FY23: Cantwell, Glad Mar Land Co., Holland, Blank. She explained that Blank accepted an “insufficient funds” offer. General allotted: \$1,247,272, County match: \$75,000 and State match: \$112,000 were entirely used.

### **FY24 Application Review and Approval**

The following applications were submitted in FY24 (in alphabetical order):

1. Aydelotte, Ben, TM 92, P 62; Aydelotte Road; 114.4 acres
2. Drew, Kathy and Mark, TM 10, P 55; 11539 St. Martins Neck Road, Bishopville; 28.5 acres\*
3. Drew, Kathy and Mark, TM 10, P 99/100; 11828 Back Creek Road, Bishopville; 29.6 acres\*

4. Fair, Freddie and Faye, TM 93, P 41; Steel Pond Road, west side, Stockton; 102 acres (re-application, FY23 and multiple previous years)
5. Fair, Freddie and Faye & Marion Butler, Matthew Butler; TM 69, P 41; Fleming Mill Road, west side, Pocomoke City, 50 acres (re-application, FY23)
6. Hahn, Jimmy and Theresa, TM 90, P 6; 356 Hickory Point Road; 71.2 acres
7. Holland, Mark and Candy, TM 100, P 1, 134; Tulls Corner Road; 50.01 acres
8. Levinh Farms, Inc.; TM 92, P 69; Sheephouse Road, Pocomoke City; 144.93 acres (new owners, previous owners applied in FY22 and FY23)
9. Queponco Farms, Inc. TM 49, P 71; 6636 Basket Switch Road; Newark; TM 187.75 acres (re-application, FY22 and FY23)
10. Riley, Whitlock, et al; TM 31, P 61; 8720 Evans Road, Berlin; 470.4 acres
11. Thompson Family Trust; TM 26, P 306, 307; 9524 Mary Road; 159.1 acres

Katherine Munson clarified that the county attorney advised that neither Glenn Holland nor Kathy Drew may vote on the FY24 applications: Mr. Holland, because his brother applied to sell an easement and Kathy Drew because she is an applicant. The county attorney additionally advises that Kathy Drew not be in the room during the discussion of the FY24 applications.

Kathy Drew left the meeting room.

Katherine Munson explained that special review is needed of the Drew applications because they are under 50 acres and not adjacent to a MALPF easement. If the board approves these applications, the board must find that these properties have “extraordinary agricultural capability” and are of “significant size”.

She stated that MALPF has also asked for some idea of demand for MALPF easements in this area, what the operations are like in this area, what the level of threat is. Basically their concern is, is this the best place for an easement in perpetuity, given the small size of the property and if development is highly likely to occur on neighboring properties?

As far as “extraordinary ag capability”, at a minimum the property has to have a soil conservation plan that is fully implemented; the property has to be located in area designated for ag preservation, and has to have at least 60 percent Class I, II, III soils. Both properties meet these criteria.

“Significant size” is not defined or clarified in the regulations or statute. Katherine Munson advised that her interpretation is that the farm must be of a size that it would be reasonable to say it would be able to be farmed in perpetuity even if surrounded by development.

Christian Martin noted that the two applicant farms are in proximity to each other (less than a mile, 3 miles by road), making them, together, highly farmable. The board agreed this proximity would play a role in the two farms being farmable, long term.

The board agreed that the adjacent properties are at some risk for development, but also noted that the chicken farm that is adjacent to TM 10, Parcel 55 would discourage development/make development less desirable.

*Tax Map 10, Parcel 55 (Kathy and Mark Drew Application)*

The board agreed that they do not see the division by the road having a negative impact on the farming operation. The regular shape of the parcel makes it easy to farm. The extensive road frontage is an advantage for future uses such as “u-pick”. The fact that it is all cropland also makes it more viable long term as a farm.

The board noted that the Bishop feed mill and Frankford grain mills are in close proximity.

The board noted that it is adjacent to farms that could subsequently enter the program, it can serve as a preservation “anchor”.

Curt Lambertson made the motion that this property be recommended for forwarding to MALPF for consideration because it has extraordinary agricultural capability:

- the soil conservation and water quality plan is in effect (it is being updated currently)
- it has 95% Class I, II , III soils
- the property is located in an area designated for agricultural preservation because it is zoned A-1 and E-1
- it is in close proximity to the other applicant property and to grain mills

and because it is of significant size:

- the property is entirely in cropland (all acres can be actively farmed)
- the regular shape of the property is conducive to farming despite its smaller size
- the property is of a size to be viable long term due to proximity to other farms and to grain mills
- the extensive road frontage offers excellent opportunity for u-pick and similar agricultural uses

Alan Hudson seconded the motion and approval was unanimous, with Glenn Holland abstaining.

*Tax Map 10, Parcels 99, 100 (Kathy and Mark Drew Application)*

Curt Lambertson made the motion that this property be recommended for forwarding to MALPF for consideration because it has extraordinary agricultural capability:

- the soil conservation and water quality plan is in effect (it is being updated currently)
- it has 100% Class I, II , III soils
- the property is located in an area designated for agricultural preservation because it is zoned A-1
- it is in close proximity to the other applicant property and to grain mills;

and because it is of significant size:

- the property is entirely in cropland (all acres can be actively farmed)
- the regular shape of the property is conducive to farming despite its smaller size
- the property is of a size to be viable long term due to proximity to other farms, to grain mills

Christian Martin seconded the motion and approval was unanimous, with Glenn Holland abstaining.

Katherine Munson noted that all other applications meet minimum criteria for the program. MALPF will accept up to 20 applications this year. We anticipate close to \$2 million in funding for Worcester County. She reminded the board that they can recommend to not forward lowest ranking application or applications. Appraisal cost is \$3,000 to \$5,000 per application and this is taken from the total allocation to the county.

The board discussed that the lowest ranking properties have low soils indexes, one is entirely wooded and one is significantly enrolled in CREP. The board consensus is that these properties are not significantly productive, are not under threat of development, and also are unlikely to receive an offer given their



lowest ranking. Kelley Gravenor made a motion to send the top 8 applications to MALPF, Alan Hudson seconded the motion; approval was unanimous, with Glenn Holland abstaining.

Alan Hudson left the meeting.

Kathy Drew joined the meeting.

### **Rural Legacy Area—Bishopville/Showell**

Katherine Munson explained that the county has the opportunity to establish a Rural Legacy Area (RLA) in this part of the county, if the county wished to do so. She explained that the county has two RLAs—Coastal Bays RLA has been in place for 20+ years and much has been accomplished (over 10,000 acres protected). Dividing Creek RLA is newer. The county could establish a new RLA and redirect funding resources to that new area. To submit an application for this we need demonstrated landowner interest, in writing. We would need to define an area where contiguous conservation would be possible, and need to demonstrate its importance for protection. RLA easements are similar to MALPF except they can be more tailored to the county's needs such as small sized properties (would not be limited to only protecting properties over 50 acres). RLA easements limit impervious surface so would not be appropriate for poultry farms.

The board reviewed a list of landowners in the general area as well as several maps of the area. Generally the board agreed that more protection efforts in this area are worth attempting. Outreach to landowners was discussed. Kathy Drew stated that she could assist with outreach. A first step of sending a letter to landowners, was discussed. A meeting could be held at the Bishopville Fire Co in July to provide information and gauge interest. The application is due in February 2024.

The meeting was adjourned at 8 PM.



DEPARTMENT OF  
ENVIRONMENTAL PROGRAMS

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1306  
SNOW HILL, MARYLAND 21863  
TEL: 410 632 1220 / FAX: 410 632 2012

AGRICULTURAL PRESERVATION  
CONSERVATION PROGRAM  
WATER & SEWER PLANNING  
SHORELINE CONSTRUCTION

WELL & SEPTIC  
NATURAL RESOURCES  
PLUMBING & GAS  
COMMUNITY HYGIENE

December 29, 2023

RE: Corrective Easement Request—Aydelotte, Brooks; MALPF File #23-13-01; TM 92, Parcel 63 (part of)

Dear Worcester County Agricultural Land Preservation Advisory Board:

The owner of the above-noted property is requesting approval of a corrective easement to adjust a boundary line.

All corrective easement requests must be reviewed and approved by the local board and the state board on a case-by-case basis to determine if the proposed corrective easement will enhance or have no effect upon any agricultural operation being conducted on the land.

As background, the original easement, recorded August 28, 2014, excluded a 10-acre portion of parcel 63 (see attached plat, "Boundary Survey of the Lands of Aydelotte Farms, Inc.").

The request is for 5,643.85 square feet of land to be transferred from the Aydelotte property (MALPF ID # 23-13-01) to the area of withheld acreage (part of the same parcel, TM 92, Parcel 63), and 5,652.5 square feet of land to be added, from the withheld area, to the area under MALPF easement. Two aerial maps are enclosed showing the boundaries proposed for this adjustment. Also attached is the survey showing the areas to "swapped".

The area to be transferred from the MALPF easement is 100% Class II soil. The area to be added to the MALPF easement is 100% Class II soil. The swap has no impact on the soil composition of the property, which is a requirement for any corrective easement.

Mr. Aydelotte intends to subdivide the withheld area from the parcel. The purpose of this land swap is to allow for the required set back of 50 feet from the pre-existing home on the withheld area.

MALPF staff and county staff have reviewed the proposal and find that this very small boundary adjustment does not impact agricultural activity on the land under easement, and recommend board approval. Thank you for your time and attention to this. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Katherine G. Munson  
Planner V

Aydelotte Farms Inc.  
3435 Aydelotte Rd  
Pocomoke, Md 21851  
757-894-0748  
peacenplenty@aol.com

December 30, 2023

Worcester County Agricultural Land Preservation Advisory Board  
c/o Katherine Munson  
Worcester Co. Department of Environmental Programs  
1 West Market St, Suite 1306  
Worcester County Government Center  
Snow Hill, MD 21863

RE: Corrective easement request - MALPF ID 23-13-01

Dear Members of the Worcester County Agricultural Land Preservation Advisory Board:

I am writing to request approval of a corrective easement. The Proposed changes involve land (Tax Map 92, Parcel 63) owned by Aydelotte Farms, Inc., which consists of Ben Aydelotte and Brooks Aydelotte as owners. The company employs Ben's two sons and Brooks' two sons and Ben's grandson. We own property encumbered by a MALPF easement (23-13-01) recorded August 28, 2014; located at Tax Map 92, Parcel 63, located on Brantley Road. A 10- acre area with a pre-existing residence was withheld from the easement. This area is currently still part of Parcel 63. We withheld the 10 acres to transfer to any family member at a later date.

The farming operation is corn, soybeans and wheat rotation and includes the entire parcel. We farm this entire parcel.

The reason for our request for a corrective easement is that we would like to subdivide the withheld area from Parcel 63, to transfer to Ben's grandson however we discovered that the boundary of the rear (north end) of the parcel does not provide an adequate setback (50 feet) from the existing home to allow a legal subdivision, per county zoning regulations. The house is 35 feet from the easement boundary. We are requesting approval of a boundary adjustment of the easement so that there is a 50-foot setback at the rear of the parcel. We propose to offset this with equal or greater acreage on the east side of the 10- acre excluded area. The proposed change will not result in a reduction of acreage to the area under easement, nor a reduction in the soil quality of the area under easement. The areas being removed from and added to the easement both contain only Woodstown (Class 2) soils.

The proposed swap of land will have no effect on the farming operation because the adjustment is very small (a 0.1-acre +/-swap) and does not

result in lost acreage. It will not alter the way the property is farmed, or the productivity of the land under easement.

Shawn Taylor (surveyor) has provided a revised survey showing the current boundary and the proposed new boundary.

We understand that we are responsible for all costs of title work, title insurance, survey and other necessary documentation to complete this adjustment.

Sincerely,

  
Brooks Aydelotte

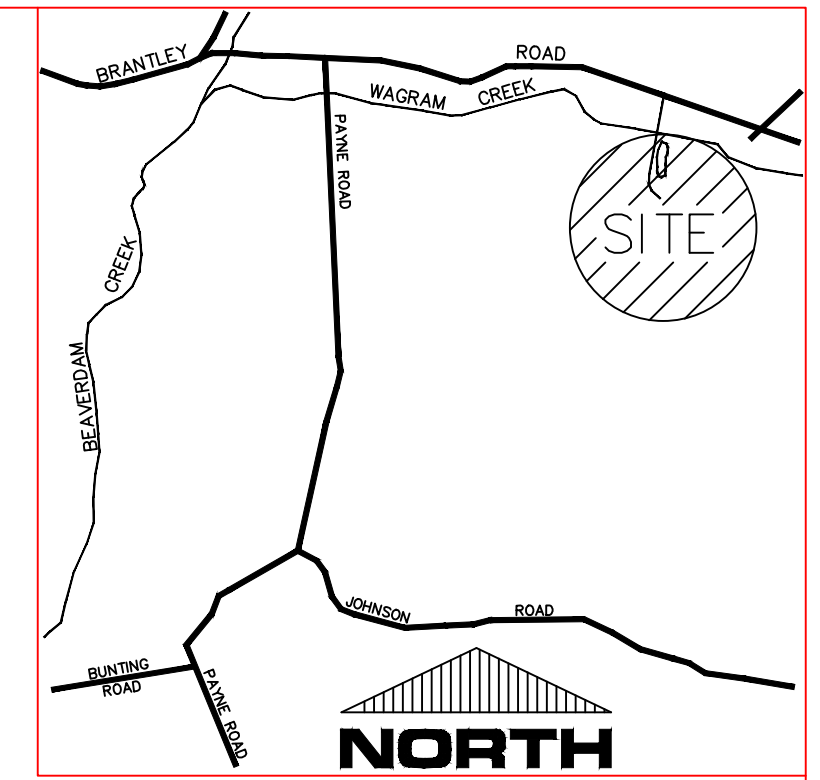
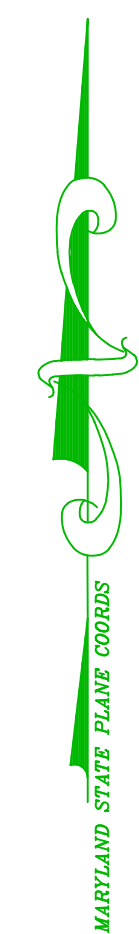
  
Ben Aydelotte



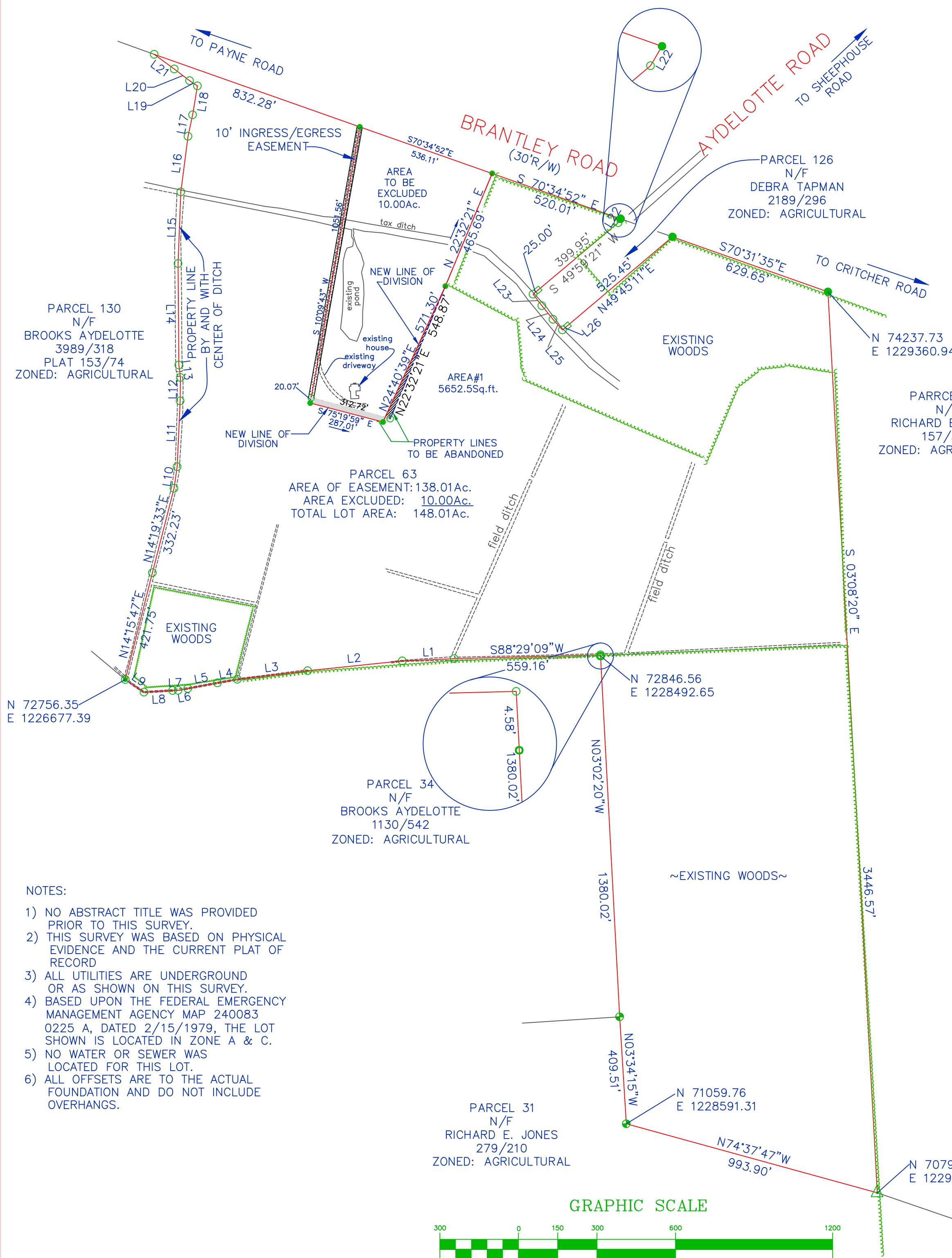
REVISED BOUNDARY SURVEY  
OF THE LANDS OF  
**AYDELOTTE FARMS, INC.**  
TAX MAP 92 GRID 23 PARCEL 63  
FIRST ELECTION DISTRICT  
WORCESTER COUNTY, MARYLAND

LEGEND

- - IRON ROD FOUND
- - IRON ROD w/CAP SET
- - CONCRETE MONUMENT FOUND
- - IRON PIPE FOUND
- - IRON PIPE SET
- - PROPERTY CORNER
- △ - FIELD STONE FOUND
- - POWER POLE/UTILITY POLE



NORTH  
VICINITY MAP  
SCALE 1" = 2000'



PARCEL 126  
N/F  
DEBRA TAPMAN  
2189/296  
ZONED: AGRICULTURAL

PARCEL 64  
N/F  
RICHARD E. JONES  
157/335  
ZONED: AGRICULTURAL

PARCEL 63  
AREA OF EASEMENT: 138.01Ac.  
AREA EXCLUDED: 10.00Ac.  
TOTAL LOT AREA: 148.01Ac.

PARCEL 34  
N/F  
BROOKS AYDELOTTE  
1130/542  
ZONED: AGRICULTURAL

PARCEL 31  
N/F  
RICHARD E. JONES  
279/210  
ZONED: AGRICULTURAL

LINE	LENGTH	BEARING
L1	197.95	S87°29'38"W
L2	363.65	S84°06'46"W
L3	270.25	S83°01'05"W
L4	77.10	S79°39'02"W
L5	115.86	S79°27'07"W
L6	37.30	S79°12'22"W
L7	21.04	S88°53'26"W ○
L8	109.55	S86°25'21"W
L9	86.21	N56°05'31"W
L10	83.49	N08°30'26"E
L11	251.57	N02°36'17"E
L12	89.65	N00°31'46"E
L13	47.91	N07°28'38"W
L14	387.71	N00°25'55"W
L15	273.54	N02°14'24"E
L16	214.52	N07°19'25"E
L17	83.85	N12°04'04"E
L18	112.01	N09°25'23"E
L19	35.92	N56°32'29"W
L20	73.51	N52°39'32"W
L21	94.64	N53°54'51"W
L22	17.13	S30°08'28"W
L23	55.34	S37°38'11"E
L24	67.51	S39°00'34"E
L25	54.04	S41°46'29"E
L26	25.00	N49°45'11"E

MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION APPROVAL  
BOUNDARY SURVEY - EASEMENT NO. 23-13-01  
MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CAROL S. WEST, EXECUTIVE DIRECTOR

CERTIFICATE OF EASEMENT GRANTOR  
THE UNDERSIGNED EASEMENT GRANTOR AGREES TO COMPLY WITH ALL TERMS OF MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION EASEMENT NO. 23-13-01 ("EASEMENT") TO BE RECORDED IN THE LAND RECORDS OF WORCESTER COUNTY. THIS PLAT OF SURVEY IS EXPRESSLY INCORPORATED INTO AND MADE A PART OF THE EASEMENT.

SIGNATURE OF EASEMENT GRANTOR: AYDELOTTE FARMS, INC.

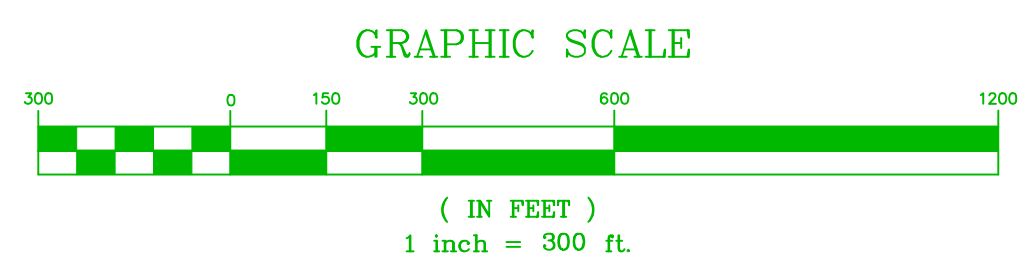
BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
BENJAMIN AYDELOTTE (PRESIDENT)

THIS BOUNDARY SURVEY DESCRIBES THE ENTIRETY OF THE LAND UNDER A MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION (MALPF) EASEMENT (EASEMENT NO. 23-13-01). 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 WORCESTER COUNTY. SECTION II.B OF THE DEED OF EASEMENT ENCUMBERING THE DESCRIBED LAND, WHICH IS INTENDED TO BE RECORDED AMONG THE LAND RECORDS OF WORCESTER COUNTY, IS EXPRESSLY INCORPORATED INTO THIS BOUNDARY SURVEY.

I HEREBY CERTIFY TO: AYDELOTTE FARMS, INC., AND THE STATE OF MARYLAND TO THE USE OF THE DEPARTMENT OF AGRICULTURE, ON BEHALF OF THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, LAKESIDE TITLE COMPANY, 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 PLAT OF SURVEY IS AN ACCURATE REPRESENTATION OF SAID BOUNDARY SURVEY, AND THAT SAID BOUNDARY SURVEY IS ALL (OR PART OF) THE SAME LAND WHICH BY DEED DATED MAY 29, 2012, AND RECORDED AMONG THE LAND RECORDS OF WORCESTER COUNTY, IN LIBER 5901, FOLIO 441, WAS GRANTED AND CONVEYED TO AYDELOTTE FARMS, INC. LICENSE EXPIRES APRIL 7TH 2016.

GEORGE E. YOUNG, III  
MARYLAND REGISTERED SURVEYOR No. 10854  
DATE \_\_\_\_\_

- NOTES:
- 1) NO ABSTRACT TITLE WAS PROVIDED PRIOR TO THIS SURVEY.
  - 2) THIS SURVEY WAS BASED ON PHYSICAL EVIDENCE AND THE CURRENT PLAT OF RECORD
  - 3) ALL UTILITIES ARE UNDERGROUND OR AS SHOWN ON THIS SURVEY.
  - 4) BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAP 240083 0225 A, DATED 2/15/1979, THE LOT SHOWN IS LOCATED IN ZONE A & C.
  - 5) NO WATER OR SEWER WAS LOCATED FOR THIS LOT.
  - 6) ALL OFFSETS ARE TO THE ACTUAL FOUNDATION AND DO NOT INCLUDE OVERHANGS.



**GEY**  
GEORGE E. YOUNG, III, P.C.  
ENGINEERS & SURVEYORS  
1504 MARKET STREET  
POCOMOKE MARYLAND 21851  
EMAIL: INFO@GEY3PC.COM  
PHONE: (410)-957-2149  
FAX: (410)-957-2928  
SCALE: 1" = 300'  
DRAWN BY: SDT  
DATE DRAWN: 09/11/23  
CADD NAME: F:\O MASTER  
JOB #: M13142-A

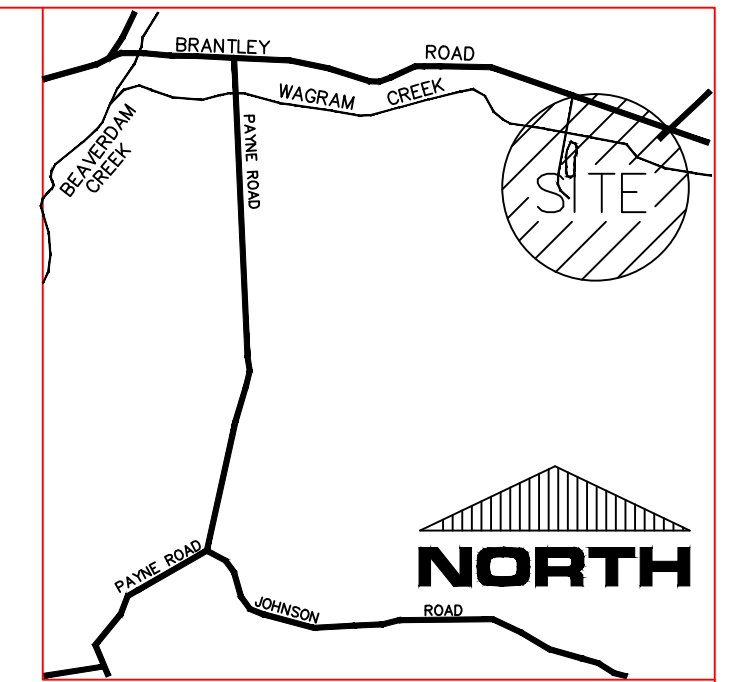
REVISIONS:  
12/15/2023  
SHEET 1 OF 1



**MINOR SUBDIVISION**  
OF THE LANDS OF  
**AYDELOTTE FARMS, INC.**  
TAX MAP 92 GRID 23 PARCELS 63 DEED 5901/441  
FIRST ELECTION DISTRICT  
WORCESTER COUNTY, MARYLAND

**NOTES:**

- 1) AN ABSTRACT TITLE WAS PROVIDED PRIOR TO THIS SURVEY.
- 2) THIS SURVEY WAS BASED ON PHYSICAL EVIDENCE AND THE CURRENT PLAT OF RECORD
- 3) ALL UTILITIES ARE UNDERGROUND OR AS SHOWN ON THIS SURVEY.
- 4) BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAP 24047C 0345 H, DATED 7/16/2015, THE LOT SHOWN IS LOCATED IN ZONE A & X.
- 5) WATER AND SEWER IS AS SHOWN FOR THIS LOT.
- 6) ALL OFFSETS ARE TO THE ACTUAL FOUNDATION AND DO NOT INCLUDE OVERHANGS.
- 7) ZONED: A-1  
SETBACKS: FRONT YARD- 35' OR 60' FROM CENTER OF RIGHT OF WAY.  
SIDE YARD- 20'  
REAR YARD- 50'



**VICINITY MAP**  
SCALE 1" = 2000'

**WORCESTER COUNTY ENVIRONMENTAL PROGRAMS**

THIS LOT IS APPROVED WITH EXISTING WATER AND SEWAGE FACILITIES AS SHOWN. THIS DOES NOT INDICATE THAT THE QUALITY OF THESE SYSTEMS HAS BEEN EVALUATED. THE 10,000SQ.FT. SEWAGE RESERVE AREA MUST REMAIN FREE OF BUILDING EASEMENTS RIGHTS OF WAYS AND ONLY OTHER PERMANENT OR PHYSICAL OBJECTS AND BE RESERVED FOR FUTURE SEWAGE DISPOSAL. IN ADDITION ,ANY FUTURE CHANGES TO THESE SYSTEMS FIRST REQUIRES AN EVALUATION AND PERMIT FROM ENVIRONMENTAL PROGRAMS.

THIS SUBDIVISION IS APPROVED FOR INTERIM INDIVIDUAL WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS IN ACCORDANCE WITH THE COUNTY COMPREHENSIVE WATER AND SEWER PLAN. THE APPLICANT OR ANY FUTURE OWNER MUST DISCONTINUE USE OF THESE SYSTEMS AND CONNECT TO THE COMMUNITY SYSTEM(S) WHEN AVAILABLE.

**PURPOSE STATEMENT:**

THE PURPOSE OF THIS PLAT TO CREATE LOT 1 FROM PARCEL 63 AS SHOWN ON A RECORDED IN PLAT BOOK 240 FOLIO 19.

**WORCESTER COUNTY FOREST CONSERVATION LAW**

IN ACCORDANCE WITH SUBTITLE IV, SECTION 1-403(B)(23) OF THE NATURAL RESOURCES ARTICLE OF WORCESTER COUNTY CODE OF PUBLIC LOCAL LAWS, THIS MINOR SUBDIVISION LOCATED IN THE A-1 ZONING DISTRICT AS DEFINED IN THE WORCESTER COUNTY ZONING AND SUBDIVISION CONTROL ARTICLE IS EXEMPT FROM THE COUNTY'S FOREST CONSERVATION LAW SINCE THE PROPOSED LOT CONTAINED WITHIN ITS BOUNDARIES A BUILDING, STRUCTURE OR USE OF LAND THAT REQUIRED A ZONING OR BUILDING PERMIT AND EXISTED AS OF JULY 29, 1994, IF THE SUBDIVISION DOES NOT RESULT IN ANY CUTTING, CLEARING, OR GRADING OF A FOREST; AND IT IS NOT A RESUBDIVISION OF A LOT PREVIOUSLY SUBDIVIDED AS AN EXEMPTION PURSUANT TO THIS SUBSECTION. FURTHERMORE, ANY FUTURE APPROVAL OF THIS LAND FOR A REGULATED ACTIVITY SHALL BE SUBJECT TO THE COUNTY'S FOREST CONSERVATION LAW.

**OWNER'S CERTIFICATION**

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS, PROPRIETORS AND TRUSTEES, IF ANY, THEREOF. THE REQUIREMENTS OF "REAL PROPERTY" SECTION 3-108 OF THE ANNOTATED CODE OF MARYLAND, LATEST ADDITION, AS FAR AS IT CONCERNS THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH, TO THE BEST OF OUR KNOWLEDGE.

A TEN-FOOT-WIDE STRIP ACROSS THE FRONT OF LOT 1 AND THE ADJOINING ROADWAY IS OFFERED IN DEDICATION FOR THE FUTURE WIDENING OF BRANTLEY ROAD. ACCEPTANCE OF SUCH OFFER MAY TAKE PLACE AT ANY TIME BY APPROPRIATE ACT OF THE COUNTY COMMISSIONERS. THE COUNTY COMMISSIONERS ARE IN NO WAY REQUIRED TO ACCEPT SUCH OFFER. THE OFFER MAY NOT BE WITHDRAWN WITHOUT THE CONSENT OF THE COUNTY COMMISSIONERS.

OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRESIDENT-AYDELOTTE FARMS,INC.

**SURVEYOR'S CERTIFICATE**

I, GEORGE E. YOUNG, III, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO CERTIFY THE LAND SHOWN HEREON HAS BEEN LAID OUT AND PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF REAL PROPERTY ARTICLE 3-108 OF THE ANNOTATED CODE OF MARYLAND. License Expires 4/7/24

George E. Young, III \_\_\_\_\_ DATE \_\_\_\_\_  
Professional Land Surveyor MD.No. 10854  
VA.No. 1700  
DE.No. 534

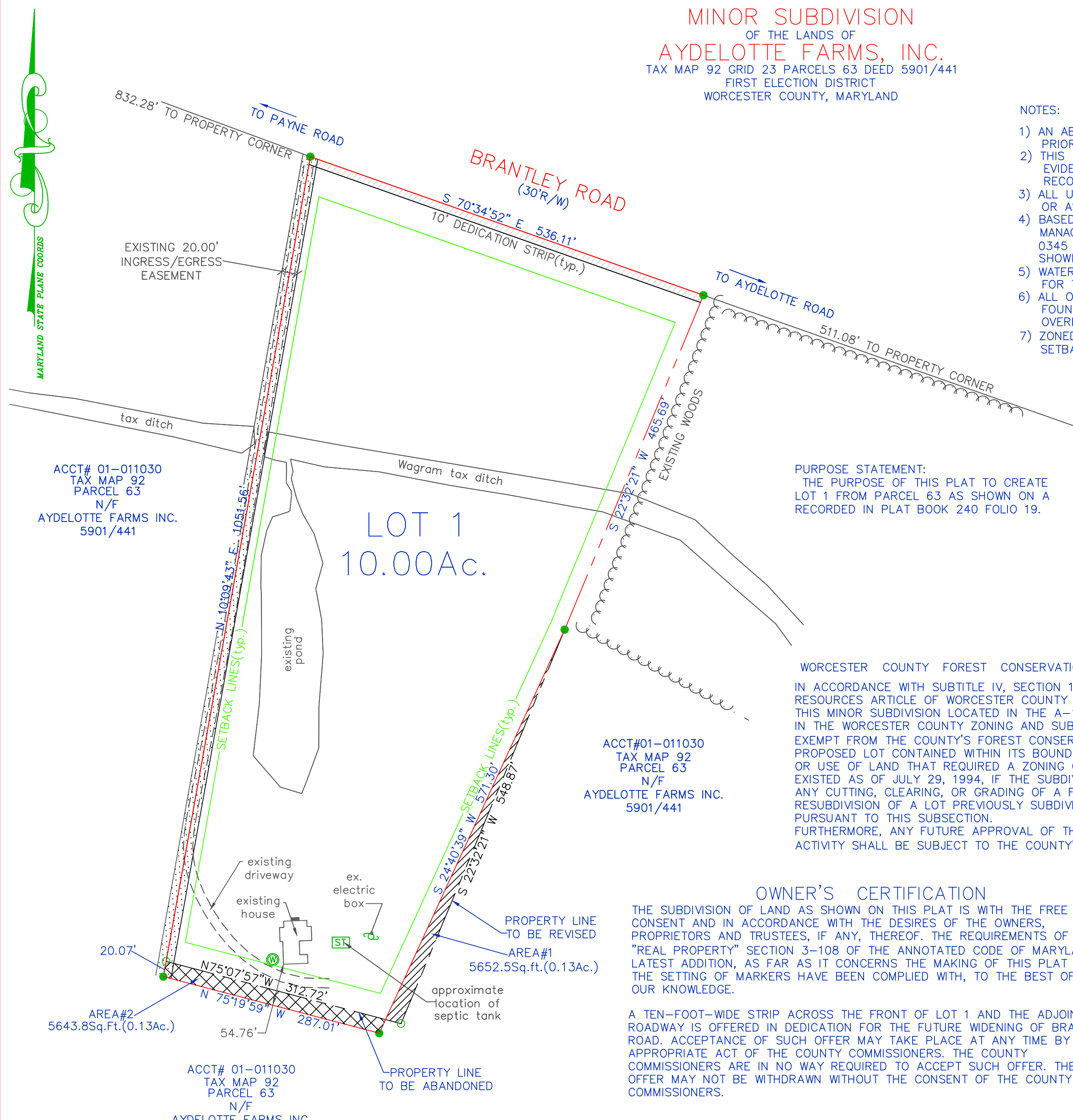
\_\_\_\_\_  
DIRECTOR DATE: \_\_\_\_\_

**WORCESTER COUNTY PLANNING AND ZONING COMMISSION**

THE GRANT OF A PERMIT OR APPROVAL OF THIS SUBDIVISION SHALL NOT CONSTITUTE A REPRESENTATION, GUARANTEE OR WARRANTY OF ANY KIND BY WORCESTER COUNTY OR BY ANY OFFICIAL OR EMPLOYEE THEREOF, OF THE PRACTICABILITY, BUILDABILITY OR SAFETY OR ANY PROPOSED USE, AND SHALL CREATE NO LIABILITY UPON THE COUNTY, ITS OFFICIALS OR EMPLOYEES.

ANY APPROVAL BY THE DEPARTMENT OF THE ENVIRONMENT OF ANY SEWER OR WATER SYSTEM OR SUITABILITY THEREFOR IS BASED UPON STATE AND COUNTY STANDARDS EXISTING AS OF THE DATE OF APPROVAL, SUCH STANDARDS ARE SUBJECT TO CHANGE AND A BUILDING PERMIT MAY BE DENIED IN THE FUTURE, IN THE EVENT CURRENT STANDARDS CANNOT BE MET AS OF THE DATE OF APPLICATION FOR SUCH PERMIT THE APPROVAL SHOWN HEREON IS NOT SUFFICIENT APPROVAL FOR A BUILDING PERMIT.

\_\_\_\_\_  
APPROVING AUTHORITY DATE



ACCT# 01-011030  
TAX MAP 92  
PARCEL 63  
N/F  
AYDELOTTE FARMS INC.  
5901/441

ACCT#01-011030  
TAX MAP 92  
PARCEL 63  
N/F  
AYDELOTTE FARMS INC.  
5901/441

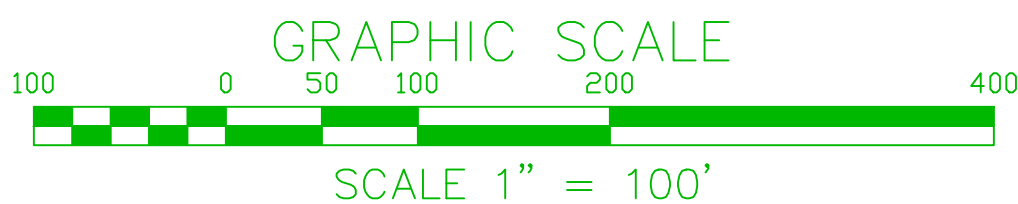
ACCT# 01-011030  
TAX MAP 92  
PARCEL 63  
N/F  
AYDELOTTE FARMS INC.  
5901/441

**LEGEND**

- - IRON ROD w/CAP SET
- [ST] - SEPTIC TANK
- ⊕ - POWER POLE/UTILITY POLE
- ⊙ - WELL
- - PROPERTY CORNER

**AREA CHART**

PARCEL 63- 148.01Ac.  
AREA#1 SUBTRACTED- 0.13Ac.  
AREA#2 ADDED- 0.13Ac.  
REVISED PARCEL 63- 148.01Ac.  
LOT 1- 10.00Ac.



**GEY**  
**GEORGE E. YOUNG, III, P.C.**

ENGINEERS & SURVEYORS  
1504 MARKET STREET  
POCOMOKE MARYLAND 21851

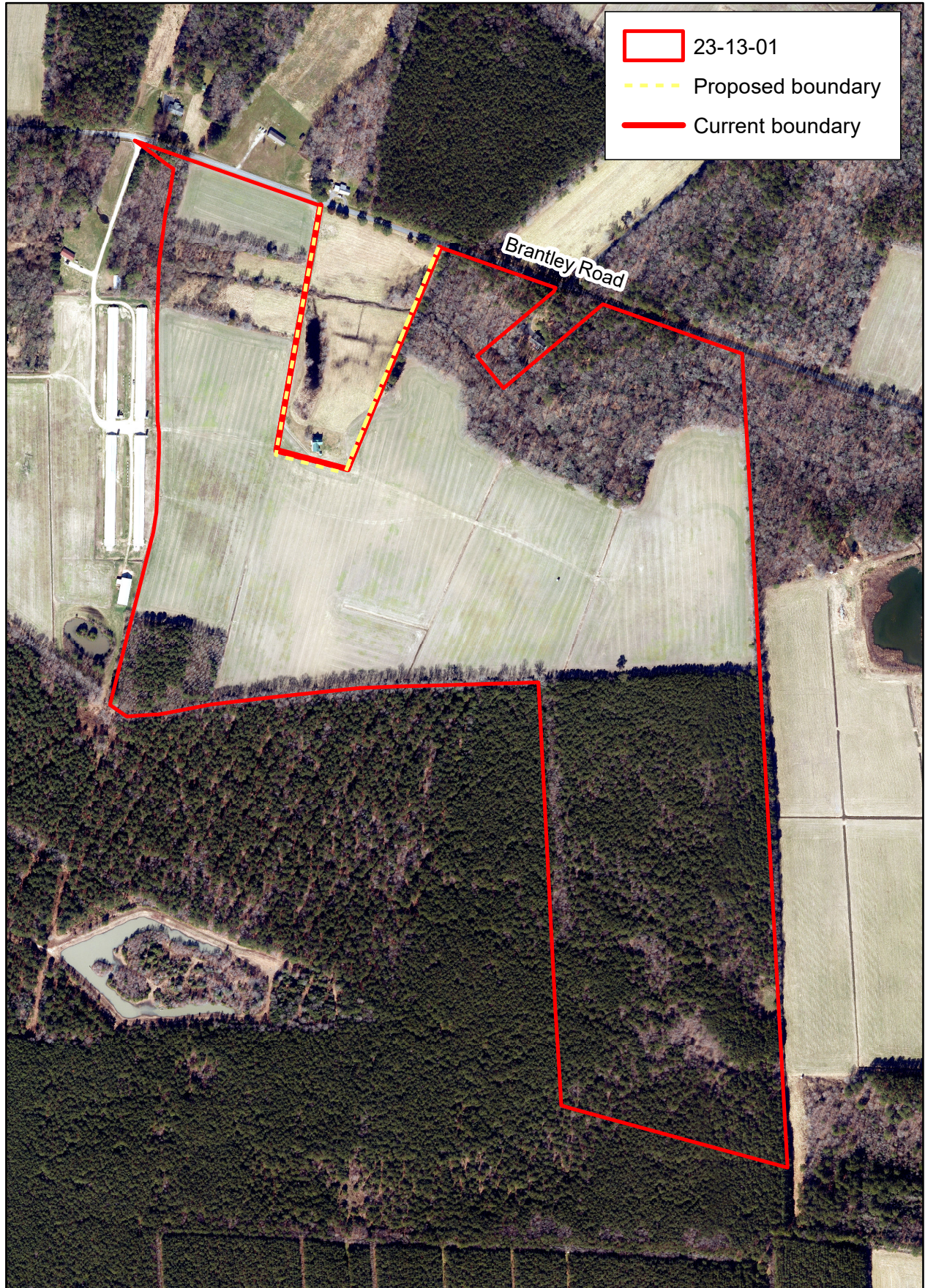
PHONE: (410)-957-2149  
EMAIL: info@gey3pc.com  
FAX: (410)-957-2928

SCALE: 1" = 100'

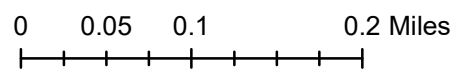
DRAWN BY: SDT	REVISIONS:
DATE DRAWN: 10/28/2022	
CADD NAME: F:\O MASTER	
JOB #: M22138-A	SHEET 1 OF 1



Aydelotte Farms, Inc, MALPF ID: 23-13-01  
Corrective Easement Request



2022 Aerial Image





Aydelotte Farms, Inc, MALPF ID: 23-13-01  
Corrective Easement Request



December 18, 2023  
Aerial Image: 2022

0 0.015 0.03 0.06 Miles





# Worcester County's Rural Legacy Areas

Volume 1

## What is the Rural Legacy Program?

Enacted by the General Assembly in 1997, Maryland's Rural Legacy Program has dedicated over \$464.209 million to preserve 120,805 acres of valuable farmland, forests, and natural areas. The Program provides funding to preserve large, contiguous tracts of land and to enhance natural resource, agricultural, forestry and environmental protection while supporting a sustainable land base for natural resource based industries. The program creates public-private partnerships and allows those who know the landscape best – land trusts and local governments – to determine the best way to protect the landscapes

that are critical to our economy, environment and quality of life.

With input from landowners and the public, local government identifies Rural Legacy Areas - delineated areas within a county that include both working farms and ecologically significant land. Once the Rural Legacy Area is state-approved, the county may competitively apply for funds to purchase conservation easements from willing landowners within the designated areas. Applications are submitted on an annual basis to the state's Rural Legacy Board for participa-

tion in the Program and to receive funding.

The goal is to save the best of what's left by creating greenbelts around Maryland's communities and saving our remaining countryside.

Currently, Worcester County has two Rural Legacy Areas (see page 3 and 4 for more information). The success of our Rural Legacy Areas is driven by landowners: participation in the program is entirely voluntary.

### Inside:

<i>Q&amp;A, Selling a RL easement</i>	2
<i>Landowner Spotlight</i>	2
<i>Dividing Creek RLA</i>	3
<i>Coastal Bays RLA</i>	4
<i>Contact Information</i>	4



*Farm protected by a Rural Legacy Easement in Worcester County, 2017*

### As of June 2023

- **There are 60 properties in the Rural Legacy program in Worcester County.**
- **Over 12,000 acres in Worcester County are protected by Rural Legacy easements.**
- **Over 33,000 acres of privately owned land is under permanent conservation easement in Worcester County, or 10% of Worcester's land area.**
- **There are over 250,000 acres of cropland and forest in Worcester County.**

# The Rural Legacy Easement Purchase Process and Provisions, Q & A

**How do I apply to sell an easement?** If your property is at least 40 acres and in a designated RLA you may be eligible to sell an easement. (Properties smaller than 40 acres may also be considered, if they are adjacent to already protected land or have unique or important characteristics). The property needs to have subdivision rights available, determined by the county. Property owners will be worked with generally on a first-come first served basis, as long as the property is eligible, and as funds become available.

**How is the value of the easement determined?** The Rural Legacy Program pays for two “before and after” appraisals. The landowner is offered the average of the two appraised values as long as they are within 20% of each other. On rare occasions a third appraisal is needed.

**What can I expect to be offered?**

The per acre payment varies as each property is different. Payments recently have ranged from \$2,000 to \$2,600 per acre in the Dividing Creek and the Coastal Bays RLAs.

**If I am made an offer do I have to**

**accept it?** No.

**Do I still own my land if I sell an easement?** Yes. Certain rights have been sold, but the landowner continues to own the land and can continue to use it for agriculture, timber production, residential and possibly other uses. The property may be sold; the easement runs with the land and will apply in perpetuity.

**If I sell an easement, can the government or the public enter my property?** The easement does not grant the public access. The easement does grant access to Worcester County for the purpose of periodic monitoring with notice to the landowner, to ensure the provisions of the easement are complied with.

**Can I negotiate the terms of the easement?** The deed of easement contains standard provisions. One residence, and accessory structures associated with the residence, are allowed on the property. No subdivi-



*Land protected by a Coastal Bays RLA easement, Worcester County, 2023*

sion is allowed. Impervious surface (buildings and roads) is limited. Streams must have a vegetative buffer. The landowner should make sure to understand the restrictions prior to signing an agreement of sale.

**Can I or a future landowner purchase rights back in the future?** The easement is perpetual.

**How long does it take to sell a Rural Legacy easement?** From ordering appraisals to settlement, it can take one year. If funding is not immediately available, it will take longer.

## Landowner Spotlight



*Christian Martin with his grandfather Wayne Holland*

**Christian Martin** (Glad Mar Grain) is a third-generation grain / fresh vegetable farmer in Pocomoke City.

He says: “From a young age I knew I would be a farmer, almost all summers and weekends throughout school I could be found right next to my Pop-Pop, whether it was maintaining equipment in the shop or working in the field, I was there.”

Glad Mar Grain has enrolled properties in MALPF and the Rural Legacy Program starting in 2013. Mr. Martin says he and his family company have participated in land protection programs mainly to ensure that the land they own will be permanently in agricultural use. Payments have also allowed the company to purchase farms that would otherwise not have been possible.

“Land protection programs are an amazing asset to Maryland’s “ag” community, not only do they ensure the continuation of agriculture in the state, they also helps farmers to combat the ever-rising land prices due to housing, tourism, and the expansion of the towns and cities the farms surround,” he says.



## Rural Legacy Areas and Easements in Worcester County

Worcester County contains two Rural Legacy Areas: Coastal Bays Rural Legacy Area and Dividing Creek Rural Legacy Area (see maps this page and next).

These two areas were designated Rural Legacy Areas because they contain large contiguous areas of working farms and forests as well as ecologically sensitive areas, including bay, river and creek shorelines. The RLA boundaries were established with input from landowners.

The 46,000-acre **Coastal Bays RLA** was established in 1999 and has been expanded twice since then to include all of the Chincoteague Bay watershed as well as extending west to the Pocomoke State For-

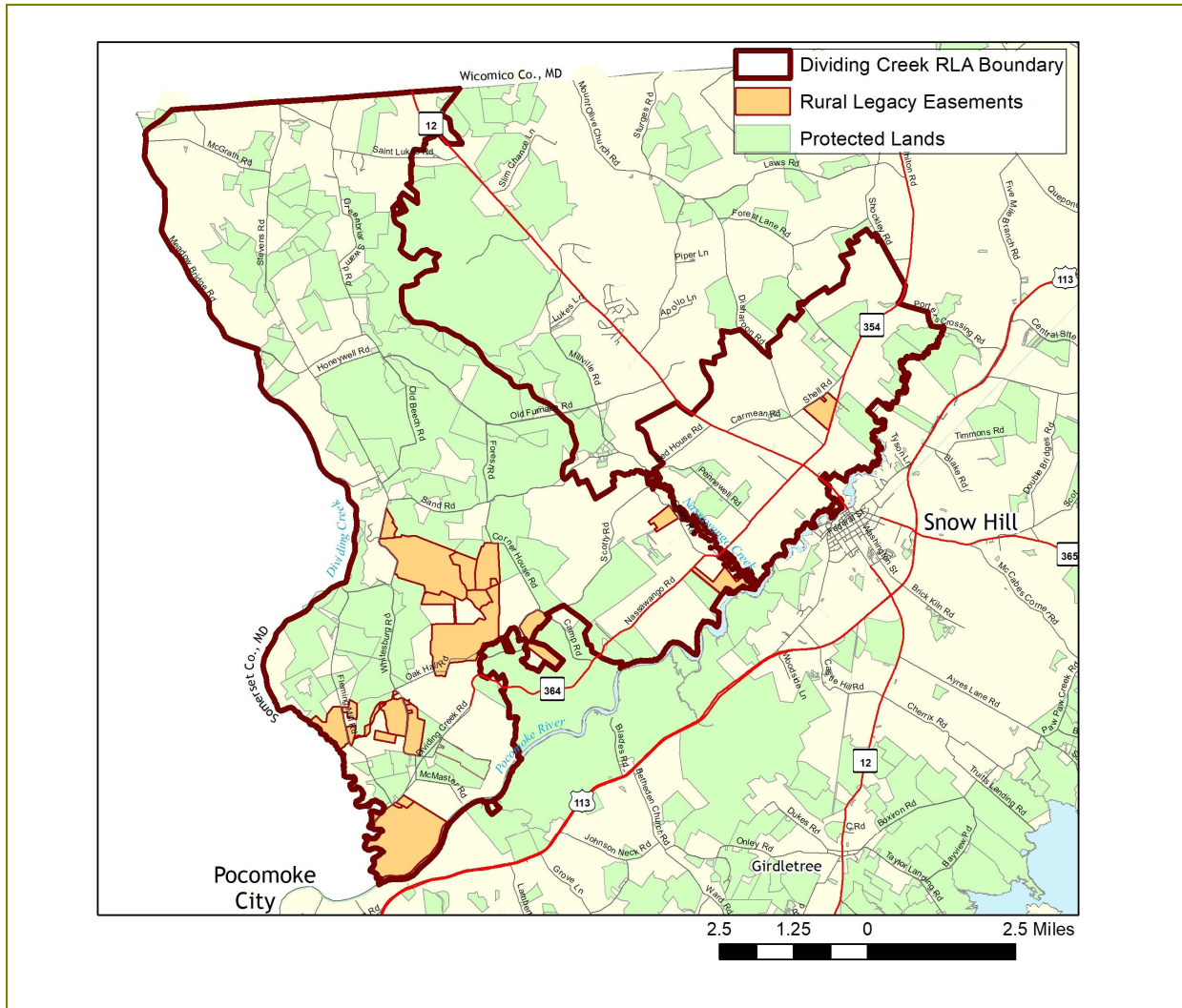
est. 9,900 acres (48 properties) have been protected with a Rural Legacy easement in the Coastal Bays RLA.

The 67,812-acre **Dividing Creek RLA** was established in 2009. Over 3,300 acres (12 properties) have been protected with a RL easement in the Dividing Creek RLA.

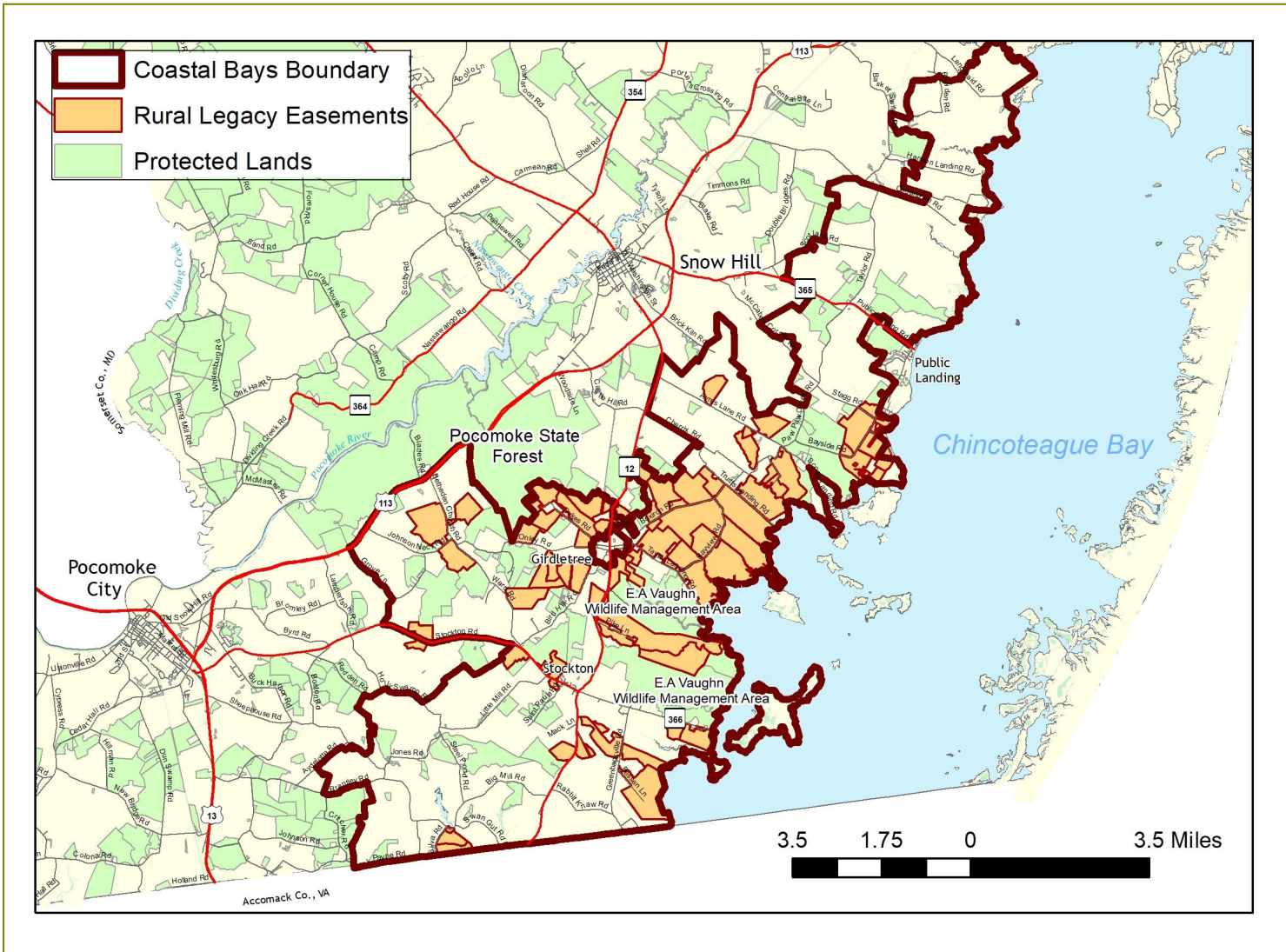
Since 1999, nearly \$14 million has been granted to Worcester County for Rural Legacy easement purchases in both RLAs.

Worcester County could establish a third Rural Legacy Area elsewhere in the county, if the proposed area meets program criteria, including support from landowners.

### Dividing Creek Rural Legacy Area, June 2023



# Coastal Bays Rural Legacy Area, June 2023



Worcester County Environmental Programs Dept.  
 Worcester County Government Center  
 1 West Market Street, #1306  
 Snow Hill, MD 21863

**Rural Legacy Program Administrator:**  
 Katherine Munson — 410-632-1220, ext 1302  
 kmunson@co.worcester.md.us



[www.co.worcester.md.us](http://www.co.worcester.md.us)



*Farm protected with a Rural Legacy Easement in Worcester County 2022*

DRAFT

## Cover Sheet Rural Legacy Application

Please complete this Cover Sheet and submit it with all Attachments

Rural Legacy Area Name: Bishopville-Showell  
Name of Sponsor: Worcester County  
County or Counties Where Eligible Properties Located: Worcester County

---

Name of Sponsor's Lead Contact:  
Katherine Munson  
Contact's Title: Planner V  
Daytime Phone Number: 410-632-1220 ext 1302 Fax #: 410-632-2012  
E-Mail Address: kmunson@co.worcester.md.us  
Address: Worcester County Dept of Environmental Programs; 1 West Market St.. Suite 1306; Worcester County Govt Center  
Snow Hill, MD 21863

As authorized representative of the above referenced Sponsoring organization, I hereby certify that the information in this application is accurate and complete to the best of my knowledge.

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

**Rural Legacy Program Grant Application  
Application for New Area Designation**

**Executive Summary – Narrative  
(two page maximum limit)**

*A. Describe the boundaries of the proposed RLA.*

The proposed 11,743-acre RLA begins at the state line and includes portions of Maryland's Isle of Wight and Assawoman Bay watersheds. It includes land surrounding the unincorporated villages of Bishopville and Showell.

*B. Summarize the location, use and quality of properties proposed, including attributes of the resources protected-- agricultural, forestry, cultural, and natural resources--as they relate to the criteria for the Program; i.e., the nature of the resources, their quality, geographic (extent) and occurrence in contiguous blocks, corridors, greenways, and boundaries, etc., and their importance and public/economic value.*

The proposed RLA includes a portion of the northern most coastal bays watersheds in Maryland and the last remaining contiguous area of farmland in the northern coastal bays watershed, an area that continues to be under the most intense development pressure in Worcester County, and also the least protected. This area is highly productive, with over one third of the area, 3,600 acres, prime farmland; 5,777 acres in cropland. Woodland covers 3,594 acres in the proposed RLA, most of it (2,815 acres) mixed woodland. The proposed area includes portions of Birch Branch, Middle Branch, Carey Branch, Slab Bridge Prong and Bishopville Prong, tributaries of the St. Martin River. Past studies and monitoring have revealed degradation of these streams, and that stream buffers are lacking. The Rural Legacy Program offers an opportunity to address this water quality and habitat deficit. Several "Green Infrastructure" corridors pass through the proposed area, along the noted tributaries, connecting hubs of contiguous blocks of woodland to the west and east, within and adjacent to the proposed area. The farmland and forested land in this area is of importance to the local agricultural industry that relies on contiguous farmland for productivity. While most farming activity is commodity grain-based and supported by the two local feed mills in Bishopville and Frankford, Delaware, the adjacency to highly urbanized areas including Ocean Pines and West Ocean City offers farmers opportunities for various other ventures, including row crops, orchards, as well as a variety of value-added enterprises. The public value of protecting this area includes nearby access to farm products, as well as less traffic/cleaner air, beautiful vistas and preservation of a long human history of farming and rural life. Twenty-two sites, properties and buildings in the Maryland Inventory of Historic Properties are within the proposed RLA, including houses, churches and stores of historic significance. The villages of Bishopville and Showell themselves are part of the rural fabric of the area, and their integrity would also be threatened by extensive non-agricultural development. The Isle of Wight and Assawoman bay watersheds are already showing signs of degradation. Minimization of impervious surface is essential to preventing further degradation of the streams and the river and bays they feed.

*C. Summarize and explain the long-term preservation goals and objectives of the Plan, including the percent of total RLA to be permanently protected, and the estimated use of Rural Legacy funds, and other federal, State and local funds or programs. Include a schedule for expected plan accomplishments, including an estimated year when the Plan will be complete.*

The long-term goal is that the area continues to thrive in agricultural production, that the green infrastructure hubs and corridors in the area are viable, that impervious surface remains low in the Isle of Wight and Assawoman Bays to assure long term water quality health. To achieve this, the long-term preservation goal is 60% of the proposed area, working with willing landowners. Funding is anticipated to be primarily from Rural Legacy and MALPF, with matching funds from the county anticipated. Once some farms are protected with Rural Legacy funds, MALPF funds can be sought to protect adjacent farms, where there are interested landowners. This is anticipated to be completed within a 15-20 year period.

*D. Describe how local planning, growth management tools, land use authority, and other supporting programs will be used to prevent development of private land until it can be permanently protected and how these tools will protect the character of the RLA for properties that may not be permanently protected. With respect to 1) existing programs; 2) new programs; and 3) programs and actions under study (with an estimate of their likelihood for*



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*enactment and implementation), explain concisely how each of the following, as applicable, supports Rural Legacy objectives:*

- protective zoning,*
- PDR programs,*
- TDR programs,*
- natural resource and environmental protection measures,*
- support for rural economic activities, and*
- any other programs that contribute to meeting the Plan's objectives.*

Within the proposed area, 10,300 acres are zoned A-1. Worcester County has among the most protective agricultural zoning in the state of Maryland, 5 lots may be subdivided from what was an original parcel of land in 1967. This protective zoning has for years been the main force at play in preserving land in this area. This zoning policy is anticipated to continue in the foreseeable future. 772 acres are zoned RP (Resource Protection). This is the most restrictive zoning and includes sensitive areas along waterways or that contain wetlands or are already preserved. It should be noted that there are residential, commercial and industrial uses within this proposed area. Under 100 acres are zoned C-1 or C-2 (commercial). These areas are adjacent to the established villages, or adjacent to Route 113. Parcels south of St. Martin's Neck Road are zoned E-1 ("estate"). These are parcels that could subdivide at 1 unit per two acres, if sewer service were available (Worcester County did not map Tiers). Many of these parcels are small active farms, contain prime agricultural soils and would be important to protect as they are adjacent to St. Martin River. Approximately 300 acres of land adjacent to Route 113 north of Showell is zoned I-1 or I-2 (industrial). Existing uses include a feedmill, cannabis greenhouse, concrete and asphalt plants, contractor shops, and natural gas tank production. These uses either support agriculture or are not a significant threat to the proposed area's agriculture or natural resources. Two small areas are zoned for residential use: an area adjacent to the village of Showell and a small subdivision that straddles the state line. Bishopville is included in the proposed area, it is zoned V-1 (village). Worcester County is beginning to update the county comprehensive plan. It is anticipated that the plan will designate and prioritize this area for protection and that subsequent zoning will not change within this area.

A county PDR or TDR program is not anticipated. Besides the Rural Legacy Program, Worcester County will use MALPF primarily, as well as any other available land protection program, to work with willing landowners to protect land in this area.

The Atlantic Coastal Bays Critical Area provides protection on Bishopville Prong, St. Martin River, Back Creek and the tidal tributaries that feed them. The Forest Conservation law protects woodland during the development process outside of the Critical Area.

The county's Right to Farm law protects farm activities in the A-1 zone. Economic development and tourism department promotes agri-tourism such as U-pick.

*E. Summarize any threat to the resources and character of the area. What is the Sponsor or local government in the area doing to address this threat?*

The 11,743-acre area contains over 1,000 parcels. Significant parcelization or subdivision of land has already occurred, especially compared to the southern part of the county, where agricultural parcels are larger and there has been less intrusion of residential and other uses. There are 657 parcels under 5 acres within the area, but these are mostly in concentrated areas in and around Bishopville, Showell and along Back Creek and St. Martins Neck Roads. There are still large contiguous areas of farmland remaining. But, in general, farms are small; many are 20 – 30 acres or even less. Although A-1 zoning minimizes development, small farms can become small, large lot subdivisions that impact the farming community by breaking up farmland and adding traffic to rural roads. The smaller size of farms has been a challenge for participating in MALPF (that requires a minimum of 50 acres). It is our belief that once some farms are protected with RL easements, adjacent farms will be well-positioned to apply to sell easements to MALPF.

*F. Describe the degree to which the set of protection and preservation mechanisms comprising the Plan, as described above, are likely to succeed in preserving multiple resources that are extensive, important, of high quality, etc., in the RLA. Explain your rationale for these expectations given current and expected development pressure.*

We believe that there is a high likelihood of success, but time is of the essence. If action is taken soon to work with interested landowners to purchase RL easements, starting with the several who have expressed strong interest, we believe we can build a contiguous protected area within a matter of a few years. In the meantime, Worcester's strong A-1 zoning and commitment to keeping this area zoned A-1, will help as well in maintaining the area's rural character.

**Rural Legacy Program Grant Application  
Application for New Area Designation**

**Executive Summary - Numbers**

1. What is the total acreage of the proposed Rural Legacy Area (RLA) 11,743 acres
2. Is the proposed RLA designated in the county Master or Comprehensive Plan? No
3. How many acres do you propose to protect with the funds requested in this RLP application?  
200 acres
4. How many parcels of the current request are less than 10 acres? none
5. What is the projected cost per acre for land acquisition proposed in this application?  
Easement \$4,500 - \$6,000  
Fee Simple N/A
6. What is the projected total cost per acre (land and transactional costs including administrative, indirect and compliance costs) proposed in this application? \$6,500 - \$8,000
7. How many acres, including the acres proposed in this application, do you plan to protect with RLP funds over the next 10 years of the program? 2,000
8. How much RLP funding, including the request in this application, will you require to reach your 10-year land protection goals for the RLA? \$12,000,000.00
9. How many total acres will be protected, by all mechanisms, if the 10-year land protection goals for the RLA are achieved? 3,000
10. What is the long-term, total land protection goal for the RLA? 7,000 (acres) (60% of RLA)



Note: Funds below should be targeted for the proposed Rural Legacy Area only, not the whole County. Do not include State money as matching funds, including MALPF, POS, or Rural Legacy funds.

<b>Matching Funds <i>proposed</i> for land preservation in the proposed Rural Legacy Area for the period of January 2025 through December 2025.</b>				
SOURCE OF FUNDING Federal, Local, Private, Other (specify)	TYPE OF FUNDING*	FUNDS ARE PROPOSED OR APPLIED FOR	AMOUNT OF FUNDING	ACRES TO BE PROTECTED
Worcester County	Cash	Rural Legacy easement purchase	\$75,000	20-30 acres
* Examples of Funding Types are: <b>County</b> - Cash, County agricultural preservation programs, purchased or transferable development rights programs; <b>Federal</b> - National Park Service, Forest Legacy, Land and Water Conservation Fund; <b>Private</b> - Grants and gifts from foundations or individuals.				

How much money did the County match towards MALPF State funds? \_\_\$50,000.00

Was this amount the full matching amount? \_No

Additional or explanatory comments: \_\_\_\_\_

**Rural Legacy Program Grant Application  
Application for New Area Designation**

**Criteria and General Description**

(four page maximum limit)

**Rural Legacy Area - General description:**

1. *The significance of the agricultural, forestry, and natural resources proposed for protection.*
  - a. *The degree to which proposed fee or easement purchases will protect the location, proximity, and size of contiguous blocks of lands, green belts or greenways, or agricultural, forestry, or natural resource corridors.*

The 11,743-acre area contains over 1,000 parcels. Significant parcelization or subdivision of land has already occurred, but most of the residential parcels are concentrated around and in Bishopville, Showell and some older subdivisions established prior to more restrictive zoning. There are 155 parcels over 20 acres in size, creating a contiguous swath of farm and forested land across the proposed area. With eleven (11) landowners having expressed interest, we believe that easement purchases can quickly begin to build a contiguous area of protected farm and forest land in this proposed area.

- b. *The nature, size, and importance of the land area to be protected, such as farmland, forests, wetlands, wildlife habitat and plant species, vegetative buffers, or bay or waterfront access, average width of riparian buffers located on the proposed Rural Legacy Area (RLA) properties.*

The farmland in this proposed area is among the highest quality in the county, with over one third of the area, 3,600 acres, prime farmland; 5,777 acres in cropland. Protection of the farmland and forested land in this area is of importance to the local agricultural industry that relies on contiguous farmland and limited residential use. Several "green infrastructure" corridors traverse the proposed area along tributaries, connecting hubs of contiguous blocks of woodland to the west and east. There are multiple streams that feed St. Martins River in this area. Providing permanent vegetative buffers on these streams and on the river will be important to protection and restoration of this watershed.

- b. *The quality and public or economic value of the land, including forms of public access that will be permitted on the proposed RLA properties, i.e. hunting, educational school trips, and trail access.*

Public access is not intended to be provided on the vast majority of proposed RLA properties, most of which are working farms. Hunting and hunting leases will be allowed. The estimated market value of farm products sold in this area (extrapolated from the 2017 USDA Census of Agriculture) is approximately \$28 million annually. There is a need for outdoor access in the northern end of the county, and the designation of this RLA does open the opportunity for acquisition of public land in this area, that may be suitable for trails.

2. *The degree of threat to the resources and character of the area proposed for preservation, as reflected by patterns and trends of development and landscape modifications in and surrounding the proposed RLA.*

The farmland in this area is under threat, as general demand for real estate for residential use has risen, and also due to proximity to Ocean City, West Ocean City, Ocean Pines and Sussex County, Delaware. Sussex County, Delaware has experienced rapid and intense residential growth across its rural landscape within the last decade, which is evident immediately upon crossing the state line. This is already impacting rural roads in Worcester County including within the proposed RLA. Subdivision in the A-1 zone is parcel-based; the smaller parcel size in this area has the potential to result in more dense development. The trend in residential development has overall been fairly slow, due to A-1 zoning restrictions: 90 residential units have been built since 2000 in the proposed RLA;

26 of these since 2017. If development continues at this rate, the rural nature of this area, and its support of farming, will slowly erode.

3. *The significance and extent of the cultural resources proposed for protection through fee estate purchases, including the importance of historic sites and significant archaeological areas.*

No fee purchases are anticipated at this time. Twenty-two sites, properties and buildings in the Maryland Inventory of Historic Properties are within the proposed RLA, including houses, churches and stores of historic significance

4. *The economic value of the resource-based industries or services proposed for protection through land conservation, such as agriculture, recreation, and tourism, as well as any social benefits that will result from the proposed RLA properties being preserved, i.e., support for local food supply, farm-to-schools, benefits to underserved communities, innovative partnerships, linking children to nature.*

The estimated 2017 market value of farm products sold in this area (extrapolated from the 2017 USDA Census of Agriculture) is \$28 million annually. This is mainly commodity crops of soybeans and grain for poultry feed. Two feedmills are in proximity to the farms in this area, one located in the area. Broiler houses are also a mainstay of farming in this area; currently 57 houses of varying sizes are in operation. Recreation within the area is limited, however the tributaries feed St. Martins River, which is important for recreational boating. Also the Isle of Wight and Assawoman Bay watershed health is essential for the health of the northern coastal bays which provide boating, fishing and other tourism and recreation of state-wide value. Because the area is in close proximity to intensely developed Ocean City and other urban communities, there is high potential for farms supporting the local food supply, farm to schools, innovative partnerships and linking children to nature.

## **Rural Legacy Plan**

1. *The overall quality and completeness of the Rural Legacy Plan (Plan):*
  - a. *The degree to which existing planning, zoning, and growth management policies contribute to land conservation and the protection of cultural resources;*

Within the 11,743-acre proposed RLA, 10,300 acres are zoned A-1. Worcester County has among the most protective agricultural zoning in the state of Maryland, 5 lots may be subdivided from what was an original parcel of land in 1967. This protective zoning has for years been the main force at play in preventing sprawl in this area and throughout the county. 772 acres are zoned RP (Resource Protection). This is the county's most restrictive zoning and includes sensitive areas along waterways or that contain wetlands or are already preserved. The remaining land is zoned for other uses including residential but it is important to note that Worcester County did not map Tiers, so without sewer service, development is very limited even on these properties. . Approximately 300 acres of land adjacent to Route 113 north of Showell is zoned I-1 or I-2 (industrial). Existing uses include a feedmill, cannabis greenhouse, concrete and asphalt plants, contractor shops, and natural gas tank production. These uses either support agriculture or are not a significant threat to the proposed area's agriculture or natural resources, and expansion is not planned. Worcester County is beginning to update the county comprehensive plan. It is anticipated that the plan will designate and prioritize this area for protection and that subsequent zoning will not change within this area.

- b. *The degree to which the proposed Plan is consistent with the applicable local comprehensive plan, including protection of sensitive areas and mineral resources;*

The 2006 Land Use Plan map identifies nearly the entire proposed RLA as "Agriculture". Land in the village of Bishopville is identified as "Village" and the existing industrial land adjacent to Route 113 is identified as "Industrial". The comp plan states that the areas designated as "Agriculture" must be reserved for farming, forestry and related industries with minimal residential or other incompatible uses

permitted. The plan also states that land preservation should be pursued to maintain a critical mass of farms. The Priority Preservation Area (PPA) adopted in 2010, identifies only a portion of this area as a Priority Preservation Area. The upcoming revision of the comprehensive plan will be an opportunity to expand the PPA to include the entire proposed RLA. The comprehensive plan identifies areas of potential sand and gravel resources that includes a fairly large portion of this proposed RLA. A wide ridge of desirable soil extends from south of Snow Hill north to the state line. There are also large areas of suitable soils in the southwestern portion of the county. The county has not zoned any areas specifically for mineral extraction but mineral extraction is allowed in the A-1 zone.

- c. How well existing or new conservation programs are coordinated with the proposed acquisition Plan;*

The primary existing land conservation program is MALPF. MALPF generally only accepts applications for properties of at least 50 acres. This has been a barrier to entry into the program for interested landowners in the proposed RLA. It is hoped that once some “anchor” properties are protected with RL easements, adjacent farms will apply to sell easements to MALPF. Lower Shore Land Trust accepts donated easements in the county.

- d. How well the Plan will maximize acquisition of real property interests in contiguous blocks of land within the RLA while providing for protection of isolated acquisitions important to the Plan;*

The proposed area is small (11,743 acres) which will facilitate protection of contiguous farms as well as successfully protecting highest priorities. Eleven interested landowners have already been identified. Protection of many of these properties will serve as an anchor to build a contiguous protected area.

- e. Provisions for protection of resources, such as voluntarily granted or purchased easements, fee estate purchases, or gifts of lands;*

The Lower Shore Land Trust operates in Worcester County and accepts donated conservation easements. Worcester County can also accept donated land or conservation easements,

- f. Methodology for prioritizing and valuing or appraising easements;*

Properties with more than 5 development rights and properties adjacent to already protected land will have highest priority. Otherwise, we will work on a first come, first served basis with the intention of protecting all eligible properties in the RLA. We intend to use two “before and after” appraisals to determine value.

- g. Proposed titleholders for easement or fee estate acquisitions;*

The conservation easements will be held by Worcester County.

- h. The quality of the proposed stewardship program for holding and monitoring of easement restrictions in perpetuity.*

Worcester County has nearly 2 decades of experience holding and monitoring conservation easements.

- 2.** The strength and quality of partnerships created for land conservation among federal, State, and local governments and land trusts for implementing the plan, including:

- a. Financial support (Executive Summary—Numbers)*

Worcester County will offer a cash match of \$50,000, and will consider future cash matches.

- b. Dedication of staff and resources*

Worcester County has a staff member dedicated to land conservation work.

- c. *Commitment to and development of local land conservation policies, such as changes in zoning and use of transferable development rights.*

Worcester County has a long history of some of the strongest Agricultural zoning in the state. The county is committed to maintaining strong agricultural protection through effective zoning. The 2006 Comprehensive Plan is currently being revised, with every expectation that it will continue to support agricultural protection and specifically commit to protection of this proposed RLA.

3. The extent to which federal or other grant programs will serve as a funding match. (Executive Summary--Numbers)

*Federal or other funds are not at this time anticipated. If there is an opportunity to pursue federal funds to support this proposed RLA that will be done.*

4. A Sponsor's ability to carry out the proposed Plan and the goals and objectives of the Program.

**Other Plan Characteristics:** Landowner participation: Explain the anticipated level of initial landowner participation in the Plan. (Proposed Acquisitions table)

*Eleven landowners have expressed interest in selling a Rural Legacy easement, through response sheets, phone calls, or meeting attendance.*

**Public Participation:** Summarize public participation in the development of this application if not previously provided in the RLA application.

*Input regarding a new RLA in this part of the county was initially provided by the Worcester County Agricultural Land Preservation Advisory Board. A letter was sent to 197 landowners north of Route 50 in spring 2023, providing information about the Rural Legacy Program and requesting response regarding interest in participation. All landowners were also invited to an informational meeting that was held in Showell August 9, 2023. Six landowners attended the meeting. The boundaries of the proposed RLA are based upon landowner interest we received.*

**Municipal comments:** Summarize comments received and responses to municipalities within a mile of the RLA.

*No municipalities are within one mile of the proposed RLA.*

State of Maryland  
 Department of Natural Resources  
 Rural Legacy Application  
**Funding Request**

**Area Name:** Bishopville-Showell

**Submission Date:** February 13, 2024

**Anticipated Costs:**

	Non-Rural Legacy Funds	Rural Legacy Funds	TOTAL
Direct	\$75,000.00	\$825,000.00	\$900,000.00
Incidental	\$	\$60,000.00	\$60,000.00
Administrative	\$	\$27,000.00	\$27,000.00
Program Compliance	\$	\$13,000.00	\$13,000.00
Total	\$75,000.00		\$1,000,000.00
<b>Total Rural Legacy Funds Requested</b>		<b>\$925,000.00</b>	

Describe any funding, other than Rural Legacy Program funds, or other assistance which has been pledged for the acquisition and/or monitoring of real property as identified in the Executive Summary - Numbers Form of this application.

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Will you request Advance Payment for any costs? Yes \_\_\_\_ No X

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State of Maryland Department of Natural Resources  
Rural Legacy Program Application

**Proposed Acquisitions – Fiscal Year 2025**

**Rural Legacy Area Name**      Bishopville-Showell

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PROPERTY	Owner's Name	Property Address	Estimated Cost	Acres	Tax Map Information					Easement or Fee (E or F)	Buffer Width	Public Access (Y or N)	Social Benefits (Y or N)
					Tax Map	Account ID #	Grid	Parcel	Lot				
1	Drew, Mark and Mildred Kathy	11539 St. Martins Neck Road Bishopville, MD 21813	\$225,000- \$250,000	28.48	10	05-008034	21	55	N/A	E	N/A	N	N
2	Drew, Mark and Mildred Kathy	11828 Back Creek Road Bishopville, MD 21813	\$225,000- \$250,000	29.32	10	05-007747	15, 16	99, 100	N/A	E	N/A	N	N
3	McCabe Brothers	St. Martins Neck Road Bishopville, MD 21813	\$275,000- \$300,000	60.016	9	05-004144	6	207	N/A	E	N/A	N	N
4	Benson, Glenn	Selby Road Bishopville, MD 21813	\$275,000- \$300,000	61.931	10	05-006961	4	227	N/A	E	100 ft	N	N

PROPERTY	Owner's Name	Property Address	Estimated Cost	Acres	Tax Map Information					Easement or Fee (E or F)	Buffer Width	Public Access (Y or N)	Social Benefits (Y or N)
					Tax Map	Account ID #	Grid	Parcel	Lot				
5	Jarman, Donna	Mumford Road Bishopville, MD 21813	\$350,000- \$400,000	50.34	10	05- 006945	2	224	N/A	E	N/A	N	N
6	McCabe Brothers	Ames Road Bishopville, MD 21813	\$275,000- \$300,000	65.15	9	05- 005353	6	189		E	N/A	N	N
7	Hammond, Thomas and Marie	Hotel Road Bishopville, MD 21813	\$325,000- \$375,000	42.10	9	05- 004810	4	142		E	N/A	N	N
8	Tingle, Edward and Harcum Kathy	12938 Old Stage Road Bishopville, MD 21813	\$350,000- \$400,000	48	9	05- 003911	3	119		E	100 ft	N	N
9	Justice, Lester and Kimberly	9406 Morris Road Bishopville, MD 21813	\$225,000- \$300,000	37.62	2	05- 768649	24	25		E	N/A	N	N
10	Holloway, William and Judy	9087 Pitts Street Berlin, MD 21811	\$400,000- \$450,000	58.7	14	03- 002756	23	91		E	N/A	N	N



## Application Check List New Applications

The following documents and attachments should be submitted with each copy of the Application for new Area designation and grant funding. One reproducible copy, and four double-sided copies should be submitted.

### Document

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- \_\_\_\_\_ Cover Sheet
- \_\_\_\_\_ Executive Summary – Narrative (2 pages maximum)
- \_\_\_\_\_ Executive Summary - Numbers (2 pages maximum)  
Matching funds proposed (1 page maximum)
- \_\_\_\_\_ Grant Applications – Criteria & General Description (4 pages maximum)
- \_\_\_\_\_ Funding Request
- \_\_\_\_\_ Proposed Acquisitions Form
- \_\_\_\_\_ Map (one color PDF map):  
  
Additional Instructions for the Map:
  - \*Please insure that the number of proposed priority properties shown on the map matches the number of priority properties on the proposed eligible property list.
  
  - \*The map should show other protected properties in the Area (by color using the legend to designate which color represents the different programs used the protection).
  
  - \*Please insure the map shows a clearly delineated Area boundary line.
- \_\_\_\_\_ Digital geographic information (GIS data) for the boundary of the Area and of the protected lands intersecting the boundary<sup>1</sup>. This should be transmitted electronically by email or other type of online file transfer service (*Dropbox, Google Drive, etc.*) to the Rural Legacy Program as a shapefile or geodatabase in NAD\_1983\_StatePlane\_Maryland\_FIPS\_1900 meters projection. This information must be submitted simultaneously with the Application (it can be as a separate email but should immediately follow the initial email with this Application) or the Application will be considered incomplete.

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<sup>1</sup> Please refer to the *GIS Submittal Guidelines* for more information.

DRAFT

\_\_\_\_\_ 10 Color Digital Photos of the newly proposed Area.

**Please submit an electronic copy (in Word or PDF format) of the Application and all Attachments.**

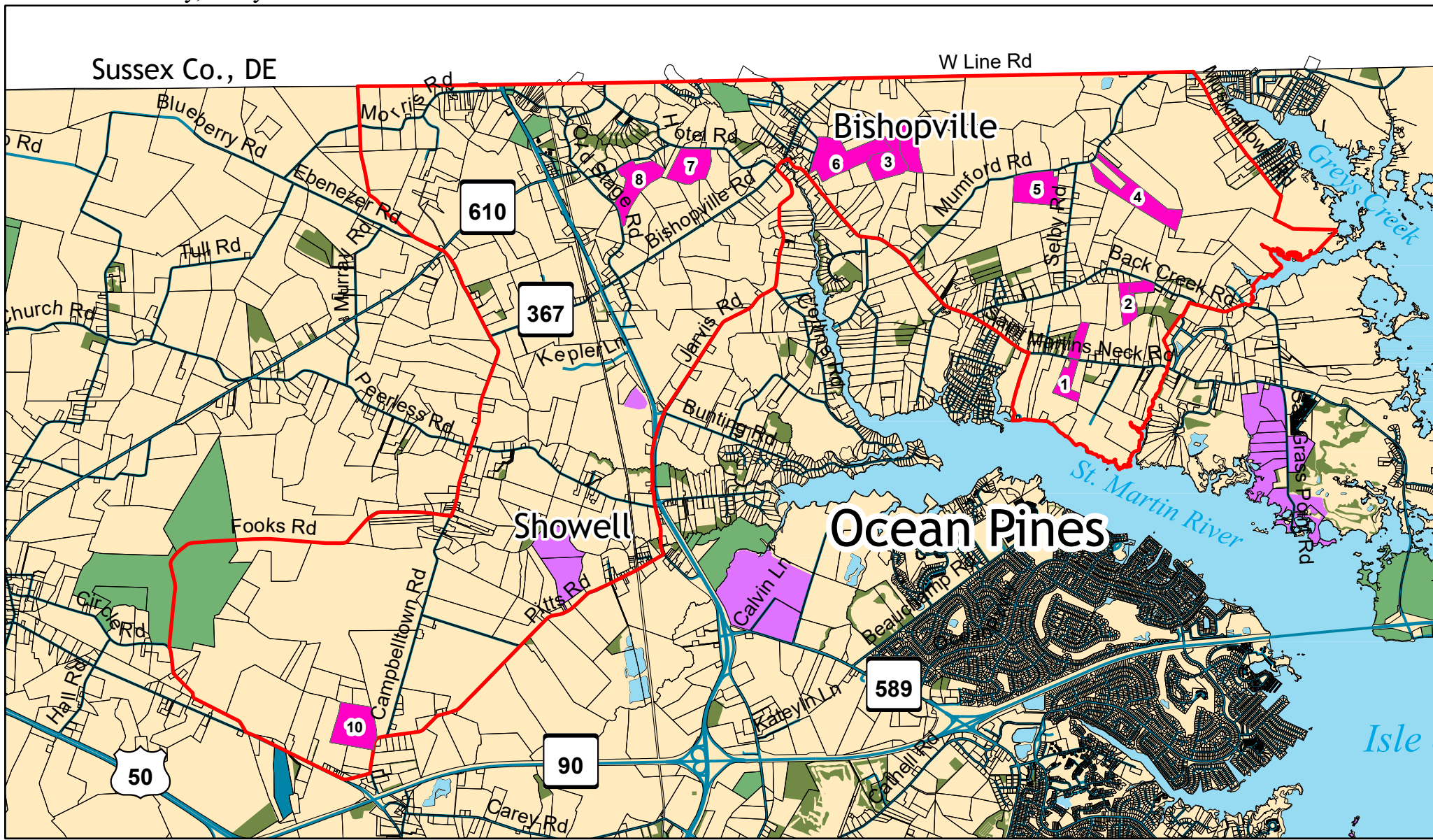
**SUBMIT COMPLETED RURAL LEGACY PROGRAM GRANT APPLICATIONS TO:**

**Rural Legacy Program  
Land Acquisition and Planning Unit  
Tom McCarthy, Conservation Easement Supervisor  
Tom.mccarthy@maryland.gov**

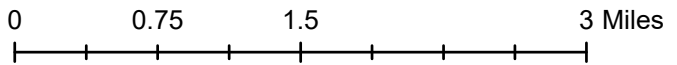
*Fiscal Year \_\_\_\_\_ Grant Application submission deadline: Second Tuesday in February by 5:00 p.m.  
\*unless otherwise given specific permission*

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


Potential Bishopville-Showell Rural Legacy Area Boundary  
 Worcester County, Maryland



December 28, 2023



Data sources: MDP PropertyView, MD DNR, LSLT, and Worcester County

	Proposed Acquisitions, FY25		LSLT Easements
	Proposed RLA Boundary		CREP Easements
	Parcel Boundary		State Lands
			Forest Conservation Easements