

FARM BREWERY STUDY GROUP

August 4, 2021

Minutes

10:00 AM

CALL TO ORDER – The meeting was called to order by Councilman Wagner.

Membership –

- Council Members
 - Robert Wagner
 - Tony Giangiordano
- Representative of Harford County Sheriff's Office
 - Erik Robey
- Member of the Farm Bureau
 - Michele Magness Hill
- Member of the Farming Community
 - Alice Archer
- Representative, Harford County Department of Planning & Zoning
 - Jenny Jarkowski, Director
- Representative, Harford County Inspections, Licenses & Permits
 - Paul Lawder, Director
- Representatives of the Farm Brewery Industry
 - Kevin Atticks – Executive Director, Brewers Association of Maryland
 - Alex Galbreath – President, Falling Branch Brewery

All members attended (in-person), with the following exceptions:

- Kevin Atticks attended virtually
- Erik Robey and Alex Galbreath – advance notice of circumstances which prevented their attendance

Proposed recommendations/changes and discussion:

- Adequate parking shall be provided on-site and screened from any off-site residence. No off-site parking permitted.
 - Discussion: Parking on the fields may alter viability for crops
- The tasting room and brewery production shall be located on a farm consisting of at least 30 acres which has been farmed and owner occupied for a minimum of 3 years.
 - Discussion: Consider change to 25 acres

- The farm upon which the facility is located shall produce at least two acres of grain, hops, fruit, or other ingredient, excluding water, that is utilized to produce alcohol. Crops may be grown on-site or off-site, as long as owned by brewery farm owner.
- Hours of operation are permitted between 10:00 a.m. and 9:00 p.m. Musical performances and amplified/non-amplified music ending at 9:00 p.m.
 - Discussion: Return hours to 10:00 a.m. to 10:00 p.m.
- Any enclosed structure, or portion thereof, to be used for tastings, sales and events shall not exceed 2,500 square feet. Calculation of the 2,500 square feet devoted to tastings, sales and events will be based on the floor area devoted to customer service, excluding restrooms and storage.
- The minimum setback from any lot line for any building or storage facility used in connection with the brewery shall be 300 feet.
 - Discussion: Increase setback from 100 ft. to 300 ft.
- If there is more than one property owner who has a right to use the private road, the owner of the farm alcohol production facility shall provide affidavits of support from each owner. The affidavits shall be approved as to form by the Planning and Zoning officer prior to signature.
- Events designed to promote the farm brewery shall be permitted on the property, subject to the applicable requirements and conditions set forth in The Alcoholic Beverages Article of the Maryland Annotated Code, as amended.
- The owner shall obtain all other necessary and required Federal and State licenses and approvals prior to operating.

Additional discussion:

- Suggested 50% of the product be produced on-site
- The term “farm alcohol production facility” will not include anything except farm breweries.
- Kevin Atticks voiced concern that these proposed restrictions would be the strictest standards in the state. The industry would like to see the minimum

acreage capped between 10-20 acres. Keep the hours at 10:00 a.m. to 10:00 p.m. but does not have a preference for cut-off time for music. This will be the first county requiring the product be produced on-site. Does not favor the farm being owner occupied and that the property must be farmed for 3 years prior to starting a farm brewery.

- The 3-year requirement is contained within the Code
 - “For the 3 years prior to application for approval, gross agricultural income shall have been at least \$15,000 annually, as set forth on Internal Revenue Code Schedule F, or as set forth on any other financial documentation requested and approved by the Department of Planning and Zoning. Gross agricultural income shall remain at least \$15,000 annually as set forth in this Subsection.”
Harford County Code 267-73. A. (3)
- Discussed viability of an inherited farm or newly purchased farm for farm brewery.
- Suggested a farm brewery tour for study group members during “pre-operation” hours to view actual logistics and operations

Meeting adjourned at 10:37 A.M.