

GREEN, MORE OR LESS

County's Open Space Is Preserved—for Now



Sign of the times: A sign advertises lots for sale in the new Seneca Estates development, which has rolling farmland behind it.

SUBURBS, From A1

acres have been protected through a first-of-its-kind exchange program in which developers pay farmers to continue raising crops and animals. In return, the county gives developers permission to build extra housing units in otherwise controlled-growth areas.

Called the "agricultural reserve," the area is part Rock Creek Park, part Old McDonald's farm. It's a place for a serene Sunday drive to escape the traffic, noise and congestion of the city, so the kids can see horses or stop at Ben Allnut's farm near Seneca to pick strawberries, apples or pumpkins. The countryside, a third of Montgomery's land area, includes the far western and northern sections of the county, bordered by the Potomac and Frederick and Howard counties.

But Montgomery's cherished reserve is by no means safe forever. Farming's future in the county is in doubt. Eight of 10 county farmers said in a recent survey that their farm income alone can't support their families. If that \$285 million-a-year industry dies, pressure will build from landowners and developers to turn farmland into houses for a county population projected to swell from 817,000 people today to 1 million in 2020.

"They can preserve all the land they want, but it won't be saved if agriculture isn't profitable," said Jean Phillips, of Germantown, who grows vegetables for Giant Food supermarkets.

Eager Speculators

Speculators, who own six of every 10 acres in the farm reserve, are eager to march in. A one-acre lot in the reserve currently is worth \$5,000, but the value would rise dramatically if the restrictions on the land were removed. "It's inevitably going to be developed," said Harry Leet, of Gaithersburg, a retired lawyer who still holds several hundred acres west of Poolesville he bought during the 1960s.

Candy giant Mars Inc., of McLean, one of several companies that own land in the reserve area, led an effort to do an end run around the county five years ago, Montgomery planning officials said. Mars and a few other landowners asked the small town of Laytonsville to annex 1,468 acres of farm reserve to build a luxury home subdivision, tripling the town's size. Laytonsville rejected the overture, but similar solicitations are possible in the future, officials said.

Other pressures come from Northern Virginia. Just as Robert E. Lee's Confederate troops slogged across the Potomac at White's Ferry en route to the battle of Antietam in 1862, the southerners are threatening to drive north again.

This time, the fight is over a plan pushed by Northern Virginia business interests to build a western highway outside the Capital Beltway, linking Interstate 95 in Stafford County, Va., with Interstate 70 near Frederick, Md. One proposed route would slice through the heart of Montgomery's green space, an idea opposed by every county executive, County Council, planning board and Maryland governor for a decade.

"The development pressure it would create would be enormous," said Montgomery County Executive Douglas M. Duncan (D).

Metaphor for Md.

In many ways, Montgomery County is a metaphor for Maryland, where protection of natural resources is a clear priority of state and local governments. Among counties nationwide that legally protect farmland, seven of the top 10 in acres preserved are in Maryland, led by Montgomery. This year, Gov. Parris N. Glendening (D), has proposed legislation that would channel additional state money to help counties buy easements on farmland restricting development. And he would reward counties with state money if they confine development to existing or planned growth areas while keeping forests, farms and wetlands intact.

Maryland's proximity to the country's largest estuary, the Chesapeake Bay, has forced the state to look at how growth affects one of the world's richest fishing grounds. "Maryland feels it is the trustee of the bay," said Stephen Z. Kaufman, a Silver Spring lawyer who represents many developers.

The concept of stewardship is backed by Maryland courts, giving local governments wide authority to set up programs that benefit the community as a whole. In Virginia courts, by contrast, the right of the individual usually outweighs the community good. That leaning, land-use lawyers



Family tradition: Ben Allnut, whose family has been farming near Seneca Creek for 200 years, surveys his fields after planting raspberry bushes.

would favor landowners if governments tried to set aside large green areas. Local governments in Virginia also would have to get the state's permission before establishing a reserve of open space, a requirement not imposed on Maryland counties.

Maryland is far from being a preservationist's ideal; many of the sprawling neighborhoods of Montgomery are no different from those in Fairfax County. Environmental leaders say Montgomery planners could do more to prevent big houses on big lots, which eat up green space while raising the cost of services such as schools, water and roads that the county must provide to far-flung areas.

"Every county will tell you they've done a great job" saving green space, said Lee Epstein, a top official of the Chesapeake Bay Foundation, a private conservation group. "However, all is not rosy in Montgomery County. There is still a lot of zoning that allows one housing unit on two acres. It's okay to do a little of that, but if you do a lot, it's called sprawl."

Planning Ahead

Royce Hanson came to Montgomery County during the 1950s when the postwar expansion of the suburbs drove up land prices and increased development pressure. By 1960, the land had greater value for houses than farms, triggering a rush by speculators, who bought up more than half of the county's land.

Hanson, then a professor of government at American University, was appointed to the county planning board in 1971 to help brake Montgomery's growth. Despite the board's slower, orderly approach to development, Montgomery still was losing about 1,300 acres of farmland a year to development as the 1980s approached. Rural Montgomery brimmed with spacious homes on five-acre lots, a pattern that was killing farming, consuming green space and driving up property taxes needed to pay for the services.

Hanson, by then chairman of the planning board, set about to stop the hemorrhaging. The son of an Arkansas truck farmer, Hanson knew how to talk to farmers and had a feel for the land.

"As early as I can remember, I had a commitment to conservation. And I understood something about living on the soil, so I had sentiments resonant with farmers," said Hanson, now a professor at the University of Texas at Dallas.

Like generals preparing for battle, the board first drew a defensive line around the immense area of the coun-

ty where farms outnumbered subdivisions. Only one home would be allowed on each 25 acres within this area, a limit that would discourage home building, since few people want a single-family home on that much land. As further restraints, roads weren't to be widened there, and water and sewer lines wouldn't be extended. With that, Hanson and the board believed they had set Montgomery's growth patterns for generations.

"Until this, there were always going to be areas of the county up for grabs," said Kaufman, the developers' attorney.

Winning over farmers depended on Hanson's finding a way to compensate them for the land value they'd lose once the reserve was created and their acreage probably couldn't be sold for home building. The shift would undercut the equity they depended on for major expenses, including their retirement and their children's college education. "We had to make the farmers feel they were being treated fairly," Hanson said.

The budget-minded county didn't have the money to pay farmers for the lost value, but Hanson's staff reminded him of a concept that had been tried in a few regions with mixed success. Farmers would continue working their land in exchange for selling "rights" to developers to build homes elsewhere in Montgomery.

In this way, farmers could raise cash and developers could boost their profits by increasing the number of homes they built in a subdivision. The county could keep green space while steering growth into areas such as Olney and Potomac, where it had ample roads, utilities and schools.

"We had created a balance: conservation of a rural area that was to be a kind of cultural resource, and higher-density housing where we had the public facilities to support it. That's an efficient pattern of development," Hanson said.

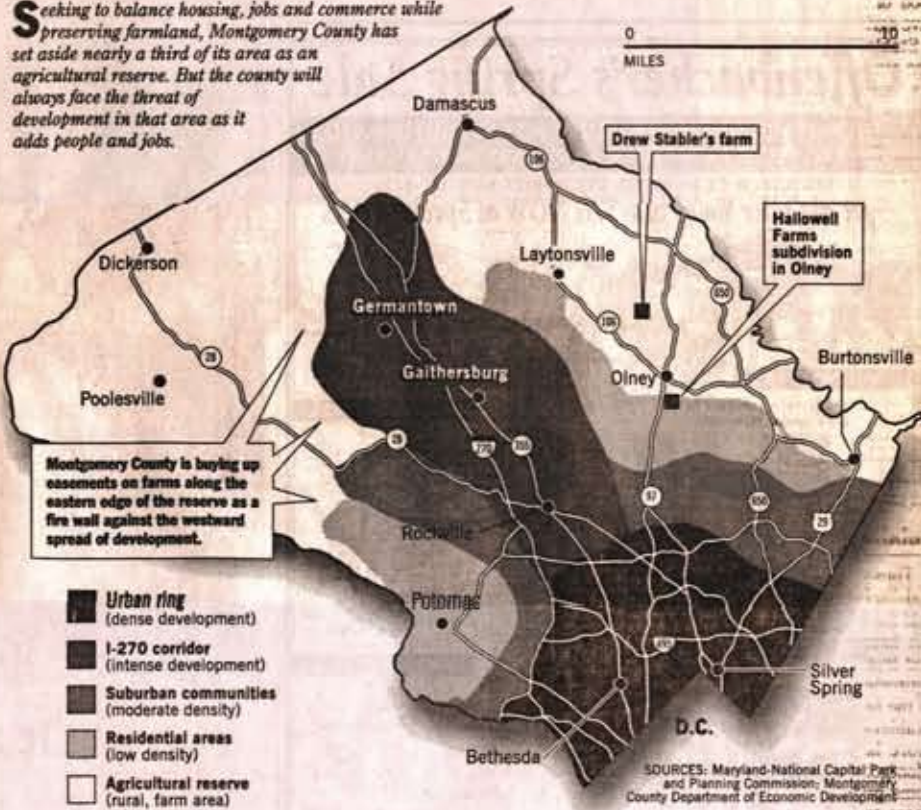
At first farmers didn't like Hanson's plan, shouting down county officials at an endless series of meetings and accusing them of engineering "a communist plot" to take their land. Months of intricate negotiations followed, with farmers reluctantly going along. To this day, some farmers said they believe they got a raw deal.

"We could have fought and fought and wound up with nothing," said Drew Stabler, whose family has farmed for seven generations near Brookeville. "Short-term, yes, I would have been against this program, because it took away some of my equity. But we looked at it long-term, for the

See SUBURBS, A11, Col. 1

SAVING THE FARM IN MONTGOMERY COUNTY

Seeking to balance housing, jobs and commerce while preserving farmland, Montgomery County has set aside nearly a third of its area as an agricultural reserve. But the county will always face the threat of development in that area as it adds people and jobs.



TOP FARMLAND PRESERVATION COUNTIES

A list of the top 10 counties in the United States that preserve farmland, seven of which are in Maryland, is shown below:

County	Total area	Land in agriculture	Acres preserved
Montgomery (MD)	317,000	93,252	46,813
Marin (CA)	264,000	165,000	25,504
Carroll (MD)	289,920	190,715	24,604
Lancaster (PA)	600,000	400,000	22,000
Sonoma (CA)	1,000,000	967,680	21,000
Howard (MD)	161,349	44,600	20,119
Caroline (MD)	205,383	121,602	18,350
Harford (MD)	281,600	100,000	16,861
Baltimore (MD)	390,400	100,000	11,714
Queen Anne (MD)	238,977	n/a	10,411

NOTE: Current as of July 1996. Counties ranked according to number of acres legally preserved under farmland preservation programs. Some counties, such as Montgomery, also use zoning powers to protect additional acres of farmland. Private interests also buy farmland in counties for preservation.

SOURCE: Farmland Preservation Report, Bowers Publishing Inc. in Street, Md.