

Lancaster County Agricultural Preserve Board

Meeting Minutes

February 24, 2022

Present: Mr. Roger Rohrer, Chairman
Mr. Daniel Zimmerman, Vice Chairman
Mr. Edward C. Goodhart, III, Secretary
Commissioner Ray D'Agostino
Mr. Jeffrey Frey
Mr. Jered Hess
Mr. Gary Landis
Mr. Andrew Lehman

Absent: Mr. Matt Young

Staff: Mr. Matthew Knepper, Director
Mr. Kevin Baer, Farmland Preservation Specialist
Ms. June Mengel, Farmland Preservation Specialist
Ms. Noelle Fortna, Farmland Preservation Specialist
Mr. Garland Treese, Farmland Preservation Specialist

Guests: Weston and Sara Shertzer, and Mike Saxinger, PLA

I. Call to Order

Mr. Roger Rohrer called the meeting to order at 8:02 a.m.

II. Review of Mission Statement

Mr. Roger Rohrer, Chairman requested that Mr. Jeffrey Frey read the Mission Statement: *"To forever preserve the beautiful farmland and productive soils in Lancaster County and its agricultural heritage; and to create a healthy environment for the long-term sustainability of the agricultural economy and farming as a way of life."*

III. Announcements

The Agricultural Preserve Board met in Executive Session on February 24, 2022, at 7:15 a.m. to discuss the purchase of real estate and potential violations of agricultural conservation easements. Mr. Roger Rohrer commented on the status of the Avian Bird Flu and the risk it poses to Pennsylvania and the poultry industry in general. He suggested avoiding onsite visitation poultry farms if possible. Mr. Knepper echoed that the State's Bureau of Farmland Protection issued a notice that poultry farms should not be visited on-site due to the outbreak.

IV. Approval of Minutes

Motion to approve the January 27, 2022 meeting minutes made by Mr. Daniel Zimmerman and seconded by Mr. Edward C. Goodhart.

MOTION CARRIED UNANIMOUSLY

V. Business from Guests –

500 Shultz Road, Washington Boro, PA. – Driveway Proposal

Weston and Sara Shertzer, and Mike Saxinger, PLA provided the Board with a presentation explaining why they need to use of farmland subject to an Agricultural Conservation Easement for a driveway to their property in Manor Township.

Mrs. Sara Shertzer provided the Board with background on their family. Mr. Weston Shertzer explained his ties to Lancaster County and Lancaster County farmland. They both expressed their appreciation and respect for all of the farmland preservation that has occurred throughout Lancaster County and do not want their request to undermine the integrity of the program, but asked if there is anything unique enough about their situation they would appreciate the Boards serious consideration.

They purchased their “dream” property atop a hill on Shultz Road. Prior to the purchase, they did due diligence to discover what the challenges might exist and became aware that access to the property was going to be problematic. After purchasing the property and digging into the development of the property in more detail, they determined that to construct a driveway on site would disturb a tremendous amount of steep slope, require lots of reinforcement of retaining walls, substantial stormwater needs, and cost in excess of \$800,000.

To this end, the Shertzers are requesting the Board to allow them, by some mechanism, to utilize part of the adjoining Rohrer preserved farm for their driveway, as the grade would be more manageable, less earth would be disturbed, storm water requirements would be much less intrusive, and the entire endeavor would be less costly. According to Mr. Shertzer, the land proposed to be utilized on the Rohrer’s farm would not really impact their farm operation as the driveway is proposed to be on the property line and wooded.

The Board seemed generally inclined to try to find a way to work with the Shertzers to allow for a driveway. Commissioner D’Agostino suggested a land swap and many of the Board members seemed to think that might be a possibility, until Mr. Matthew Knepper explained there is currently no mechanism in the actual Law (Act 43, Agricultural Area Security Law) to allow for a land swap. A number of other ideas were discussed and Mr. Knepper said that he would talk with the APB Attorney to find out if there was any legal mechanism to provide for driveway access on a preserved farm for the Shertzers.

VI. New Business

A. Requests for Subdivision/Land Development – No Requests

B. Requests for Rural Enterprise – No Rural Enterprises

C. Soil Health

Mr. Matt Knepper shared with the Board that the Department sought and was awarded, along with many other private and public agencies, grant funding from the American Farmland Trust to promote soil health. To this end, APB will be distributing soil health information at appropriate opportunities to applicants for preservation and preserved farm owners.

D. 2022 State Funding

Mr. Matthew Knepper reviewed the approved 2022 funds allocated for farmland preservation in Lancaster County. Mr. Knepper discussed legislation being introduced that could possibly allocate a portion of the funding for farmland preservation to the Trusts directly from the State rather than total allocation going to the County Preservation Boards. The County appropriated \$1,783,356 and the State appropriated \$2,883,518. Funding is available January 1, 2022, and must be encumbered by December 31, 2023.

E. 2021 Ranking

Mr. Matthew Knepper shared the 2021 Ranking results with the Board. Kevin Baer reviewed the list of special projects (50% bargain, LFT, Township TDR) and the top ten farms from the 2021 ranking round results. There are a total of 167 Applications, 52 are proposed at some level of a bargain sale.

Motion to approve the 2021 Ranking Results was made by Mr. Edward C. Goodhart and seconded by Mr. Gary Landis.

MOTION CARRIED UNANIMOUSLY

F. Cap and Bargain Sale

Mr. Matthew Knepper reintroduced the topic of bargain sales / tiered pricing. Historically, when a landowner elects a tiered pricing option AND his/her farm appraises above the Purchase Price Payment Cap of \$4,000/acre – the Board’s offer is reduced to the cap of \$4,000 and the tiered pricing is taken from the \$4,000/acre. Staff recommends that the Board consider modifying this approach. Staff believes it is more equitable and more understandable to take the tiered pricing from the Appraised Easement Value even in those cases where the Payment Cap is met or exceeded. If after the percentage of donation is calculated and the Payment Cap is still exceeded, the offer would be reduced to the Payment Cap.

Motion to approve tiered pricing being calculated on the appraised value with a cap of \$4,000.00 was made by Mr. Jeffrey Frey and seconded by Mr. Andrew Lehman.

MOTION CARRIED UNANIMOUSLY

Adjourn The meeting adjourned at 9:52am.

The next scheduled meeting of the Agricultural Preserve Board

Thursday, March 24, 2022, at 8:00 a.m.
Lancaster County Public Safety Center
101 Champ Blvd. Manheim, PA 17545