

**Lancaster County Agricultural Preserve Board  
Meeting Minutes**

**May 25, 2023**

**Present:** Mr. Roger Rohrer, Chairman  
Mr. Daniel Zimmerman, Vice Chairman  
Mr. Jeffrey Frey, Secretary  
Commissioner D'Agostino  
Mr. Jered Hess  
Mr. Gary Landis  
Mr. Andrew Lehman  
Mr. Matthew Young

**Absent:** Mr. Edward C. Goodhart III  
Mr. Kevin Baer, Farmland Preservation Specialist

**Staff:** Mr. Matthew Knepper, Director  
Mr. Garland Treese, Farmland Preservation Specialist  
Ms. June Mengel, Farmland Preservation Specialist  
Noelle Fortna, Farmland Preservation Specialist  
Mrs. Denise Alvarez, Administrative Assistant

**Guests:** No Guests

**I. Call to Order**

Mr. Rohrer called the meeting to order at 8:10 a.m.

**II. Review of Mission Statement**

Mr. Rohrer 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 Ag Preserve Board met in Executive Session today at 7:15 am on May 25, 2023, to discuss real estate transactions.
  
- The final wrap-up meeting between the Agricultural Preserve Board, Lancaster Farmland Trust and the Planning Commission will be held on Tuesday, June 13, 2023, at 8 a.m. in the Government Center room 102/104.

**IV. Approval of Minutes**

**Motion to approve the April 27, 2023, meeting minutes, made by Mr. Andrew Lehman and seconded by Mr. Daniel Zimmerman. Motion carried.**

**V. Business From Guests – None**

**VI. Business**

A. Subdivision and Land Development

1. Replacement of Residential Structure: 0592, Stoner- Request for additional dwelling. Mr. and Mrs. Stoner are proposing to replace an existing residential structure by removing the existing farmhouse and constructing a new residential structure in an alternate location.

The Stoner Farm is located in East Hempfield Township. There is an existing farmhouse on the property. Initially, he was hoping to build and subdivide a house; however, this farm parcel is landlocked with a right of way through another farm for access. The owner of this parcel would not grant an easement for access to a subdivided lot.

The alternate plan, in lieu of a second house and subdivision, was to build another house on the farm with no subdivision, resulting in two primary residences on one parcel, which East Hempfield will not permit. Because of this limitation, the subsequent proposal is to remove the existing farmhouse and build a replacement dwelling in an alternate location. This replacement dwelling is for Mr. Stoner's son who will assume ownership of the farm in the future.

Mr. Knepper explained to the Board that newer / more current Agricultural Conservation Easements (ACEs) specify that a replacement dwelling must be located within the curtilage of the dwelling it replaces. This ACE does not have that specific reference. It states: "The replacement of a residential structure existing on the restricted land on the date of granting the easement is permitted."

Mr. Stoner is proposing to remove the existing house, decommission the well and remove the existing septic and revert the current curtilage area back to agriculture. The removal of the existing residence and infrastructure will aid in offsetting the farmland that will be occupied by the proposed replacement dwelling.

The Board is concerned about the ½ acre proposed for the new dwelling, driveway, and extended curtilage (exclusive of septic, replacement septic, well, and stormwater). The Board is not convinced that the area delineated to be converted back to ag use is sufficient when compared to the typical area needed when adding a dwelling outside of the existing curtilage.

Feedback from the Board is:

- 1) Consider building the replacement dwelling within the existing curtilage utilizing existing well and potentially existing septic.
- 2) Relinquish the residence and associated two-acre subdivision permitted by the ACE to offset the area lost to ag production by the new location.
- 3) Provide the Board with additional details, specifically, how big of an area will be needed for dwelling (sq feet), yard, septic, well, and storm water.

## B. Rural Enterprise

The owner of acquisition number 0455, Pine Hill Road Farm LP, submitted two rural enterprise applications for this farm, at 1164 Pine Hill Road, Warwick Township. The first submitted is for an Energy Enterprise, a digester. The second application is for a spouting business on the farm, Trailside Spouting, which is owned by Arlss Hoover.

1. Energy Enterprise, Digester: This farm currently has a liquid waste storage facility for Food Processing Residuals ("FPR") which is applied to fields on this farm and their other

farms. The FPR will be run through the digester and the effluent land applied to the fields. Methane produced during digestion of the FPR will run an engine to generate electricity which is sold to a utility. Since at the time of easement, there was not a provision for Energy Enterprises, the applicant will need to sign the Optional Supplement to Application for Rural Enterprise. This provides consideration under the current Rural Guidelines 2014.

Upon completion of the Optional Supplement to Application for Rural Enterprise, staff recommends approval with the following conditions:

- The Rural Enterprise is to be allowed as described and set forth in the Application.
  - The total site coverage of all Energy Enterprises, including all parking, loading and other areas necessary for such Energy Enterprises, shall be limited to two percent of the area of the restricted land.
  - Any changes to the operation must be presented to APB for review and approval prior to undertaking such changes.
  - This Rural Enterprise must continue to meet all the applicable conditions per the Rural Enterprise Guidelines.
  - The Energy Enterprise shall remain incidental to the agricultural use and character of the farm.
  - This approval is contingent on, at all times, verification of a Conservation Plan that is being / has been implemented according to schedule.
  - All other requirements that may be imposed by the Township or any other regulatory body must be met.
2. Rural Enterprise, Spouting Business: An existing barn is used for Trailside Spouting and area in the barnyard for storage and parking. The enterprise is not owner operated.

Staff does not recommend approval of Rural Enterprise, spouting operation. It does not conform to the owner/operator general provision of the Rural Enterprise Guidelines.

**Motion to approve the digester request as presented subject to Conditions of Approval and contingent upon the applicant signing the Addendum to utilize the 2014 Rural Enterprise Guidelines made by Mr. Daniel Zimmerman and seconded by Mr. Andrew Lehman. Mr. Jeffrey Frey abstained from the vote due to a potential conflict. Motion carried.**

**Motion to deny the request for the spouting enterprise made by Mr. Daniel Zimmerman and seconded by Mr. Andrew Lehman. Mr. Jeffrey Frey abstained from the vote due to a potential conflict. Motion carried.**

**VII. Adjourn:** Meeting adjourned at 9:03 AM.

The next scheduled meeting of the Agricultural Preserve Board  
Thursday, June 22, 2023 at 8:00 AM  
Lancaster County Public Safety Center  
101 Champ Blvd. Manheim PA 17545