

Lancaster County Agricultural Preserve Board

Meeting Minutes

May 26, 2022

Present: Mr. Roger Rohrer, Chairman
Mr. Daniel Zimmerman, Vice Chairman
Mr. Edward C. Goodhart, III, Secretary
Mr. Jeffrey Frey
Mr. Jere Hess
Mr. Gary Landis
Mr. Andrew Lehman
Mr. Matt Young

Absent: Commissioner Ray D'Agostino

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

Guests: Mr. Jeb Musser, VP of Land Protection, Lancaster Farmland Trust

I. Call to Order

Mr. Roger Rohrer called the meeting to order at 8:14 a.m.

II. Review of Mission Statement

The Board Members 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

Mr. Roger Rohrer took a moment to share with the Board current issues confronting agriculture in Lancaster County and abroad:

- Avian Flu is still present and the hope is for 4 or more days of 90 degree, sunny weather to set back this disease.
- Spring was challenging due to some damp weather but it appears most of the corn crop is in the ground.
- Inputs are still very high and will likely continue to remain high for the foreseeable future.
- On the world stage, there is a food crisis as many countries that were already challenged for food resources are suffering greatly by the lack of "calories" (grain) from Ukraine and Russia.
- The Wall Street Journal continues to have weekly articles about agriculture, which may provide insight for those who are not familiar with all of the nuances of global agricultural issues.

Mr. Matthew Knepper told the Board that the Lancaster Farmland Trust is hosting a farewell/retirement celebration for Mrs. Karen Martynick, to be held at 5:30pm at the S. Dale High Leadership Center, 1861 William Penn Way. Board Members are encouraged to attend if they are able.

VI. Approval of Minutes

Motion to approve the April 28, 2022 meeting minutes made by Mr. Andrew Lehman, seconded by Edward C. Goodhart.

MOTION CARRIED UNANIMOUSLY

V. Business from Guests –

Mr. Jeb Musser, VP of Land Protection for the Lancaster Farmland Trust provided the Board with the following updates:

- Karen Martynick’s retirement celebration is set to commence at 5:30 PM this evening, as shared earlier by Mr. Matthew Knepper, and anyone who is able is welcome to attend. Prior to this event, at 4:00 PM, will be an “update” gathering for major donors to provide status on the capital campaign.
- The Lancaster Farmland Trust will be hosting 3 Breakfast on Farms throughout the Summer.
- June 11th marks “Water Week” and they will be hosting a stream walk on the Abner Stoltzfus farm in Providence Township, which is a jointly preserved farm with the Agricultural Preserve Board.
- September 27th will be the annual dinner at the Farm at Eagles Ridge in Pequea Township.
- Currently, they are managing 18 grants for a variety of water projects.

VI. New Business

A. Request for Rural Enterprises

- 1) **Cannon Hill Holdings, LLC (Elizabeth Farms), 260 Hopeland Rd & Furnace Hills Pk, Lititz PA 17543, Elizabeth Township, 96.26 & 56.49 acres subject to an Agricultural Conservation Easement recorded on 1/18/2008, Utilizing 2014 Rural Enterprise Guidelines, Agritourism and Agritainment Enterprises**

Mr. Matthew Knepper reminded the Board that they have heard from the members of Cannon Holdings LLC, who presented their initial proposal to the Board at a prior meeting. Additionally, the joint rural enterprise committee (comprised of Lancaster Farmland Trust and Agricultural Preserve Board Members) also had the opportunity to hear from the applicants and review the project. The joint rural enterprise committee gave favorable feedback to their respective Boards. The Lancaster Farmland Trust’s Board granted approval with conditions at their meeting on May 19th. Mr. Jeb Musser provided the details of the Lancaster Farmland Trust’s approval, including the requirement of an Indemnification Agreement.

Mr. Matthew Knepper shared that, if the Agricultural Preserve Board votes favorably for this request, our conditions will be similar and compatible with those of the Lancaster Farmland Trust with some exceptions. The Board’s approval will not address specific aspects brought forth in Elizabeth Township’s Zoning Hearing Board Approval, such as number of cars and hours of operation. The Board would also like Cannon Hill Holdings, LLC to provide an annual summary of events (agritainment v. ag production.)

Mr. Edward C. Goodhart suggested that Mr. Matthew Knepper determine, with input from legal counsel, if the Agricultural Preserve Board should also require an Indemnification Agreement.

Motion to approve the Rural Enterprise for agritourism / agritainment as presented in the Board Summary for Cannon Hill Holdings, LLC inclusive of all associated materials and attachments as well as approval for an Indemnification Agreement if deemed necessary by counsel made by Mr. Gary Landis and seconded by Edward C. Goodhart.

MOTION CARRIED UNANIMOUSLY

B. Requests for Subdivision/Land Development –

1) Fred L. and Connie L. Ranck, Farm Address: 274 Scotland Rd, Quarryville, PA 17566, East Drumore Township, 152.16 acres subject to an Agricultural Conservation Easement recorded on 4/14/2014, Agricultural Subdivision

Mr. Matthew Knepper explained to the Board that this agricultural subdivision request is one that is proposing to take a 152.16-acre tract of farmland and create two smaller farms of 80.282 acres and 75.186 acres (note: this acreage differs from the Agricultural Conservation Easement total acreage because of recent survey work associated with the subdivision.)

Other pertinent factors:

- *The residential structure Right will be assigned to the southern 75.186-acre lot.*
- *There are two existing exclusions on the northern 80.282-acre lot. Exclusion area No 1 = 1.022 acres and Exclusion Area No. 2 = 0.865 acres. Both exclusions currently have a residential dwelling. (Declaration of Restriction 6138712 restricts internal subdivision of exclusions, only subdivision from the preserved tract is allowed.)*
- *East Drumore Township is currently reviewing the Subdivision request.*

Staff Recommendation: Staff recommends approval, pending township approval and conservation plan verification.

Conditions of Approval // Standard Conditions -

- Applicable APB Standard Plan Notes should be identified on the Plan.
- Subsequent to Subdivision, two new property deeds shall be prepared and recorded in the Lancaster County Recorder of Deeds Office: One for the newly created 75.186-acre (proposed) farm tract and one for the residual farm (80.282 acres.)
 - Both deeds shall reference and include the ACE language.
 - Both deeds shall reference by recording information the Subdivision Plan.
 - Deed for 75.186-acre farm shall indicate that the one additional residential structure, as permitted by the ACE, is assigned to this tract and no further subdivision is permitted.
 - Deed for residual 80.282-acre farm shall recite that the no additional residential structure or further subdivision is permitted.
- This approval is contingent on, at all times, verification by the Lancaster County Conservation District or a certified conservation planner (technical service provider) that the farm is following a Conservation Plan / Ag E&S Plan (inclusive of manure/nutrient management 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.
- All provisions of the Application and this approval shall be binding on the applicants, the owner of the land subject to the Agricultural Conservation Easement.
- No restriction limiting agricultural production is permitted.
- APB Staff authorized to provide Final Approval after reviewing final Land Development Plan as submitted to Township/County.

Motion to approve the Agricultural Subdivision as presented in the Board Summary for Fred L. and Connie L. Ranck, inclusive of all associated materials and attachments made by Mr. Edward C. Goodhart and seconded by Mr. Daniel Zimmerman.

MOTION CARRIED UNANIMOUSLY

C. New Business

1) Evaluation Criteria for Proposed Easements on Land Encumbered by Agricultural Conservation Easements

Mr. Matthew Knepper presented the Board a revised Evaluation Criteria list from the one reviewed at the April 28, 2022 Meeting. This revised Evaluation Criteria list is proposing to delete all those “easements” that are

already permitted by the Statute. He stressed to the Board, that the Quarryville Resorts decision made it clear that there must be an agricultural benefit to an easement.

Motion to approve the Evaluation Criteria for Proposed Easements on Land Encumbered by Agricultural Easements as presented in modified form at this Agricultural Preserve Board Meeting made by Mr. Edward C. Goodhart and seconded by Mr. Daniel Zimmerman.

MOTION CARRIED UNANIMOUSLY

2) Optional Supplement to Application for Rural Enterprise

This supplemental form allows a landowner who may have an Agricultural Conservation Easement that has no Rural Enterprise Guidelines associated with it or has an Agricultural Conservation Easement that has an older version of Rural Enterprise Guidelines to “opt in” to the most recent Rural Enterprise Guidelines. Mr. Matthew Knepper sought input from both the State Agricultural Land Preservation Board and counsel, and both recommended for a variety of reasons to not record this document.

Motion to approve the Optional Supplement to Application for Rural Enterprise made by Mr. Jeffrey Frey and seconded by Mr. Matthew Young.

MOTION CARRIED UNANIMOUSLY

D. Ag Preserve Board, Lancaster Farmland Trust, Lancaster County Planning Commission Work Groups

Mr. Matthew Knepper followed up with the Board regarding the joint meeting organized by Commissioner Ray D’Agostino to discuss farmland topics. At the closure of that meeting, he proposed that there be the formation of three work groups to evaluate and then report back to the larger group in or around October 2022:

- Prioritization for Farmland Preservation
- Rural Enterprises
- Outreach

Mr. Knepper is seeking volunteers to serve on one or more of these work groups. Mr. Daniel Zimmerman suggested that it may be more productive to have one longer session (4 hours) tackling Prioritization and Outreach. All Board Members concluded that the Rural Enterprise topic is a moving target and that it is more critical to agree on Prioritization and Outreach. The following Board Members offered to participate: Mr. Daniel Zimmerman, Mr. Roger Rohrer, Mr. Jered Hess, Mr. Andrew Lehman and Mr. Matthew Young.

E. Adjourn The meeting adjourned at 9:20 am.

The next scheduled meeting of the Agricultural Preserve Board

Thursday, June 23, 2022, at 8:00 a.m.
Lancaster County Public Safety Center
101 Champ Blvd. Manheim, PA 17545