

**Lancaster County Agricultural Preserve Board**  
**Meeting Minutes**  
**Thursday, May 28, 2020**

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

**Absent:** Mr. Matthew Young

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

**Guests:** **No Guests**

**I. Call to Order**

Mr. Frey called the meeting to order at 8:25 a.m.

**II. Review of Mission Statement**

Mr. Goodhart 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 (also: APB and Board) met in Executive Session via virtual (teleconference) on April 23, 2020 to discuss real estate matters and litigation.
- The Agricultural Preserve Board met in Executive Session prior to this Public Meeting on May 28, 2020 to discuss real estate matters. This Executive Session and Public Session was also conducted via virtual (teleconference.)
- Mr. Jered Hess was welcomed as the newest Board Member.

**IV. Approval of Minutes**

**Motion to approve the February 27, 2020 meeting made by Mr. Daniel Zimmerman and seconded by Mr. Edward Goodhart.**

**MOTION CARRIED UNANIMOUSLY**

**V. Business from Guests**

- No Guests present

**VI. New Business**

**A. Request for Subdivision/Land Development**

- i) **Residential Subdivision, APB Acq 0961, John L. and Fannie B. Glick, 161 Buck Heights Rd (property), Quarryville PA 17566// Providence Township: 5206772400000 // Acres Preserved: 101.52 acres**

Mr. and Mrs. Glick are requesting review and permission to subdivide a two acre residential lot for the construction of residential dwelling unit, in which they will reside.

The staff is recommending APB grant Preliminary Approval with the staff being authorized to grant Final Approval once verification of all Conditions of Approval have been satisfied/Verified. No Plan or Deeds of Conveyance shall be considered final and recorded until APB has granted Final Approval.

Conditions of Approval:

- 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 2-acre residential parcel and one for the 99.2-acre residual/remaining farm tract.
  - The deed for the new residential lot shall reference the ACE.
  - The deed for the residual/remaining farm tract shall reference the ACE and include the ACE language.
  - Both deeds shall reference by recording information the Subdivision Plan.
  - The deed for the farm shall indicate that the one additional structure, as permitted by the ACE, has been utilized and that no further subdivision is permitted, except that of a lot add-on as described in the ACE.
- It is recommended that the Clean and Green Office be contacted in conjunction with this process for filing appropriate continuation of preferential assessment forms.
- 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 Request for residential subdivision and construction of an additional residential dwelling as presented in the submitted Application, with specified conditions made by Mr. Daniel Zimmerman and seconded by Mr. Andrew Lehman.**

## B. Request for Rural Enterprise –

- i. **Customary Ag-Compatible Enterprises: Storage, APB Acq 0316, Wayne W. and Barbara J. Powell, 479 Esbenshade Rd, Manheim PA 17545// Rapho Township, Property ID: 5408005700000, Acres Preserved: 20.1**

The owner requests review and approval of conversion of an outdated hog building to self-storage, as described more fully in Application and Board Summary.

The owner would not be proposing any additional impervious surface. Township review and approval is still pending.

The existing hog barn is 8,692 square feet and per the Rural Enterprise Guidelines, ½% of the acreage subject to the Agricultural Conservation Easement can be used for ag compatible businesses. ½% of a 20.1 is 4,356 square feet.

Staff is recommending approval with the following conditions,

### **Conditions of Approval:**

- The rural enterprise is to be allowed as described and set forth in the Application, which will be inclusive of any additional information submitted via correspondence and points of clarification made by Board (*example: rural enterprise activity not to exceed ½ % of total acreage subject to ACE*)
- Any changes to the operation must be presented to APB for review and approval prior to undertaking such changes.
- All other requirements that may be imposed by the Township or any other regulatory body as part of an approval 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, and their respective heirs, successors and assigns should they continue to operate this Rural Enterprise.
- APB staff is authorized to grant final approval once any outstanding conditions have been met.
- This approval is contingent on, at all times, verification by the Lancaster County Conservation District or a certified conservation technician (technical service provider) that the farm is following a Conservation Plan that is being / has been implemented according to schedule.
- The preserved farm must continue to be used for agricultural production and the rural enterprise may not restrict the use of the farm for agricultural production and/or normal farming operations.
- This Rural Enterprise must continue to meet all the applicable conditions per the Rural Enterprise Guidelines.
- No new parking area may be created, the existing area may be utilized.
- No macadam or other pervious surface may be created for this rural enterprise.

**Motion to approve the Request for conversion of a hog barn to a storage facility as presented in the submitted Application subject to the identified Conditions of Approval, made by Mr. Daniel Zimmerman and seconded by Mr. Andrew Lehman.**

## C. Special Project Funding Discussion

Mr. Matthew Knepper reviewed a document that was distributed with the Board Mailing that evaluated funds invested in easement acquisitions from 2010 through 2018 ranking years. Specifically, the data is broken out to identify easement acquisitions that leveraged funding, either

through 50% bargain sales or were joint projects with Townships and/or a non-profit. These easement applications were preserved out of ranking order due to the fact that they leveraged additional funding.

Occasionally, both the staff and the Board have expressed concern that it may be that too much funding is earmarked for these “special project farms” that are taken out of ranking order and that may cause the Board to be missing opportunities to preserve higher ranking farms.

The figures indicate that the percentage of total funding that these special projects have utilized from 2010 through 2018 ranges from 7% to 30%.

Mr. Knepper asked if the Board believed that there should be parameters established to limit the amount of money spent on special projects and/or a policy whereby the top x% of applicants is guaranteed funding first prior to special projects being entertained?

Mr. Goodhart indicated that he has had on going concerns about moving farms out of ranking order, even with leveraged funds; however, after seeing the data he is not as worried. However, he made it clear that with the potential that funds may decrease, it may be important to make sure that funds are going to the best farms (soil quality, size, location, etc.) not necessarily smaller, marginal farms that cost less to preserve because of the leveraged dollars.

Mr. Zimmerman commented that it would appear, based on the data, that the Board is demonstrating good stewardship of the funds. He added that if the program had a sustainable source of funding, Mr. Goodhart’s very real concerns, would not be as relevant.

Mr. Landis stated that he thinks having the flexibility to review some farms on a case by case basis, looking at them on their own merits combined with the leveraged funding is important.

Mr. Rohrer clarified that not all 50% bargain sale and joint project farms are lesser quality farms.

Mr. Zimmerman said that he would be concerned that if the Board restricted or modified how they viewed special project farms, some landowners might not apply because of the long waiting list. The ability to voluntarily do a bargain sale is a hopeful alternative to some applicants.

Mr. Lehman mentioned that he is more concerned about preserving lower quality farms with federal funds than he is with bargain sales and joint projects.

The Board concurred that they would not want to put a cap on special projects because as soon that limit is in place, certainly a scenario would present itself and the Board may regret imposing that limitation.

Mr. Rohrer suggested that on an annual basis, the Board should review the numbers and make sure that there is still a comfort level on the amount of funds being diverted from the ranking order to special projects.

Commissioner D’Agostino asked for some clarification on how a farm is designated a special project?

Mr. Knepper replied that it is either because of an urgent situation OR because there are funds to be leveraged.

The Board agreed that they should continue to support the current system of case by case evaluation on 50% bargain sales and joint projects along with an annual evaluation.

**VII. Adjourn**

The meeting adjourned at 10:17 a.m.

**The next scheduled meeting of the Agricultural Preserve Board**

Thursday, June 25, 2020, at 8:00 a.m.

Location to be determined ~ may be virtual/teleconference again due to Covid-19 concerns