

**Lancaster County Agricultural Preserve Board
Meeting Minutes**

June 22, 2023

Present: Mr. Daniel Zimmerman, Vice Chairman
Mr. Jeffrey Frey, Secretary
Mr. Jered Hess
Mr. Gary Landis
Mr. Andrew Lehman
Mr. Edward Goodhart

Absent: Mr. Roger Rohrer, Chairman
Commissioner D'Agostino
Mr. Matthew Young

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

Guests: Jerry Stoner and Joseph Stoner, preserved farm owner, East Hempfield Township

I. Call to Order

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

II. Review of Mission Statement

Mr. Zimmerman 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 today at 7:15 AM and discussed real estate transactions and enforcement.

IV. Approval of Minutes

Motion to approve the May 25, 2023, meeting minutes, made by Mr. Edward C. Goodhart and seconded by Mr. Jeffrey Frey. **Motion carried.**

V. Business From Guests –

VI. Business

A) Subdivision & Land Development

1) Replacement of Residential Structure: 0592, Jerry I. and Paula W. Stoner, East Hempfield Township, 38.74 acres, County ACE

Stoners Application for approval of a replacement residential structure was presented to the Board at the May 25, 2023, Agricultural Preserve Board Meeting. The Board did not render a decision but continued the matter to this meeting. Concerns over the location of the proposed replacement residence were expressed at the May Meeting, specifically the amount of tillable farmland that would be converted for the residence.

Mr. Stoner and his son, Joseph, provided the Board an update. Due to the concerns of the Board, the application was modified. The revised location of the new/replacement residential structure will be just northeast of the existing tobacco barn and would include modification of the existing driveway and farm lane for access. The revised plan includes placing the new dwelling closer to the existing curtilage, removing the tobacco barn, and utilizing the existing septic system so long as the sand mound system is still deemed functional by the sewage enforcement officer. The existing well will remain to service the barn and new well will be drilled for the proposed replacement dwelling. The new residential dwelling will be occupied by Joseph Stoner (son.)

Mr. Zimmerman captured the changes presented in the Board Summary as prepared by staff as well as the presentation by Mr. Stoner:

- The driveway has been shortened.
- The replacement house has been moved to be where the tobacco shed currently is, otherwise closer to the existing curtilage.
- Every attempt will be made to utilize the existing septic system.
- Reclaimed farmland will exceed farmland being converted, albeit productivity of soil is questionable.

Motion to approve the revised proposal for a replacement residential dwelling as presented and subject to Conditions of Approval made by Mr. Andrew Lehman and seconded by Mr. Jered Hess. **Motion carried.**

2) New Dwelling, 0724, John D. and Barbara Ann Lapp, Bart and Colerain Townships, 123.73 acres, County & Federal ACE

Mr. and Mrs. Lapp's son and family reside on this farm. This is a farm in Bart/Colerain township. Currently owned by John Lapp and occupied by his son who built a new house. This was discovered during an inspection visit and property owner did not seek prior authorization. It is a federal easement, and it does require approval for impervious surface due to its federal funding.

The new owner (resident-son) has built a new house and driveway on the other side of the road from the existing farmhouse. It is being considered a replacement structure by the township and he is removing the existing farmhouse. However, no further action is being taken to convert the curtilage area back to farmland to offset the farmland taken out of production for the new house and driveway.

The Agricultural Conservation Easement does not require that a replacement structure be located in the curtilage. However, the Board views this as an additional dwelling, not a replacement dwelling because there are no offsets associated with this new house and no attempts are being made to mitigate this impact of building a residence in a new location.

Construction of the new house will utilize the right to construct one additional residential structure permitted by the ACE. They still retain the right to replace the existing dwelling in that general area where it was located.

This Agricultural Conservation Easement was purchased in part with federal money and is subject to impervious restrictions. The construction of the new residence is 2,772 square feet and the driveway is 4,050 square feet, for a total of 6,822 newly created impervious. With the removal of the existing dwelling, there is an offset of 2,474 square feet. Hence a resulting total of 4,348 square feet (6,822 less 2,474) is what is determined to be NEW impervious. This addition does not exceed the threshold of impervious permitted and will be reflected on the Impervious Surface Calculation spreadsheet for the farm.

Motion to deem this new residence as the one additional dwelling right permitted by the Agricultural Conservation Easement and not as a replacement residence; the main dwelling from the time of the granting of the Agricultural Conservation Easement may remain or a new dwelling may replace it in the same location; and, subject to Conditions of Approval made by Mr. Edward C. Goodhart and seconded by Mr. Jeffrey Frey. **Motion carried.**

3) FRPP Construction Application, 0692, Kirby F. Nissley, Rapho Township, 90.08 acres, County & Federal ACE

Construction requests on farms preserved with federal funding require approval by the Agricultural Preserve Board for purposes of ensuring that impervious surface limit is not exceeded.

The impervious surface limit for the Agricultural Conservation Easement is 5.40 acres. The proposal by the landowner is to construct: a roof over an existing concrete barnyard (does not add to impervious), compost bins & a concrete pad between buildings for a total of 2,300 square feet of new impervious. This would result in a grand total of 3.545 acres of impervious on this farm, within the limits.

Motion to approve the construction request and newly created impervious area made by Mr. Edward Goodhart and seconded by Andrew Lehman. **Motion carried.**

B. Final Recommendations from Ag. Preserve Board, Lancaster Farmland Trust and Lancaster County Planning Workgroups

The work group met for its final meeting on June 13, 2023 with a variety of goals and objectives to carry forward. Recommendations addressed the three main focus area: Prioritization for Farmland Preservation; Outreach and Rural Enterprises. Details of these recommendations can be found on the "Final Wrap Up and Recommendations" information that was distributed.

Mr. Jered Hess stated that being intentional is important, so the first thing that should happen is to rank all of the farms in the County that would qualify for preservation and evaluate those top-ranking farms. Until this exercise is accomplished there is no way to be intentional with preservation efforts.

He offered further that agriculture is going through a landowner / generational transition, which will continue for a while. There is a younger generation of landowners taking over landownership and collectively, many are not familiar with what it means to have a farm that is preserved.

With regards to rural enterprises and side businesses, it is critical that the Agricultural Preserve Board lead by example, highlighting those rural enterprises that are permitted/compatible with preservation.

There was substantial discussion on the need for preservation groups to communicate more with municipalities not only to establish which farms may be priorities to protect, have water quality & restoration projects, but also to minimize enforcement issues with construction, side businesses and conservation. Mr. Daniel Zimmerman suggested that enforcement issues could become the cancer of the preservation program. Mr. Gary Landis said getting on the agenda for a short presentation at the Township Supervisors Association Meeting would be a quick way to educate.

Many of the Board members suggested the need for more staff in order to accomplish the goals set forth by this workgroup. At minimum, a shared position might be beneficial. There was also the recommendation of additional funding for preservation efforts if the goal was to target priority farms. It could be considered a futile effort to pursue prioritization of farms and increased outreach without an incentive.

- VII. Meeting Adjourned:** Meeting adjourned at 9:08 AM. The next scheduled meeting of the Agricultural Preserve Board will be held on Thursday, July 27, 2023, at the Lancaster County Public Safety Training Center, 101 Champ Blvd. Manheim, PA 17545.