

Lancaster County Agricultural Preserve Board
Meeting Minutes
Thursday, November 21, 2019

Present: Mr. Jeffrey Frey, Chairman
Mr. H. Eugene Garber
Mr. Edward C. Goodhart III
Mr. Gary Landis
Mr. Andrew Lehman
Mr. Roger Rohrer
Commissioner Dennis Stuckey

Absent: Mr. Matthew Young
Mr. Daniel Zimmerman

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: Mr. Jeb Musser, Director of Land Protection, Lancaster Farmland Trust (LFT)
Mr. Nathan Drager, farmer, preserved farm owner, East Donegal Township

I. Call to Order

Mr. Frey called the meeting to order at 8:20 a.m.

II. Review of Mission Statement

Mr. Garber 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 on November 21, 2019 to discuss real estate matters and litigation.
- Mr. Knepper announced that APB would soon be reaching another milestone. This accomplishment will happen when the 1,000th farm is preserved, and it is anticipated that it will occur by the end of the year. Tentatively a celebration/ceremony marking the event will happen in Warwick Township at Rock Lititz. The significance of this location is that it will highlight one of the many joint preservation projects that has occurred in Warwick Township utilizing their Transferrable Development Rights program.

IV. Approval of Minutes

Motion to approve the October 24, 2019 meeting minutes made by Mr. Eugene Garber and seconded by Mr. Edward C. Goodhart III.

MOTION CARRIED UNANIMOUSLY

V. Business from Guests

- Mr. Musser reminded the Board of The Extraordinary Give hosted by the Lancaster County Community Foundation on November 22 from 12AM to 11:59:59PM. The Lancaster Farmland Trust will have a “pop up” farm market at the Imperial Diner where some of their preserved farm owners will have products available.

VI. New Business

A. Request for Subdivision/Land Development – No Requests for Subdivision or Land Development

B. Request for Rural Enterprise –

1) Rural Enterprise/Agritainment: Nathan Drager, 1558 Old River Rd, Marietta PA 17547, East Donegal Township, Property ID: 150091570000, 50.59 acres preserved.

Nathan Drager and his fiancé, Crystal, are requesting approval to utilize their 4,000 sq. ft barn for event space for a variety of activities including but not limited to: yoga, meditation, farm to table events, fundraisers, workshops, weddings, parties and family gatherings. No new construction is proposed or excavation. The barn is already equipped with plumbing and heating. They utilize holding tanks. Operation would be seasonally, from May to October and require no additional employees. Events would be mostly on weekends, allowing for a maximum of 200 people. However, many events that have already occurred in the barn (farm to table, yoga, etc.) have been approximately 20 people. Parking is proposed in the grassed area across from barn that Nathan currently uses for equipment storage, turn around area, etc. Part of this area is in the 100-year floodplain, so it seems as though impervious surface would not be desirable.

Mr. Drager took some time to share with the Board some details about his operation and answer questions. He explained that while he currently works fulltime for UPS, he also raises grass fed beef and goats. They maintain AGW Certified Grass-fed and Animal Welfare Approved AWA Status and frequently host NRCS training field days on their farm because of their practice of encouraging soil health first and foremost. Half of the barn is used (and will continue to be used) as a farm store, selling cuts of meat.

They have applied to East Donegal Township Zoning Hearing Board as well and the proposal will be reviewed at the Zoning Hearing Board Meeting on November 21st.

The Board discussed the possibility that the Township may require more established parking than grass. Mr. Knepper shared with the Board that in two prior cases (case by case basis) APB did approve limited excavation with specific conditions/parameters set which dealt with the type of alternative surface that could be utilized and the maintaining of topsoil, etc. Mr. Knepper explained to Mr. Drager that there might have to be some back and forth communication with the Township as they are reviewing the proposal.

The staff is recommending approval with conditions:

- 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.
- 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 regulatory body must be met.
- All other 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.
- APB staff is authorized to grant final approval, if deemed necessary by the nature of Board decision, 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
- No macadam or other previous surface may be created for this rural enterprise.
- This use may continue only so long as this area is maintained and used for ag production as well.

Motion to approve the Request for Event Venue with specified conditions made by Mr. Edward C. Goodhart III and seconded by Mr. Roger Rohrer.

2) Rural Enterprise/ Agritourism and Agritainment – Elizabeth Farms Update from Director

Mr. Knepper told the Board that he and Ms. Mengel were invited to the Coleman’s farm in Elizabeth Township. Mr. Coleman and his partner, Mr. Garman, have had over 5 miles of fence installed (boundary to keep deer out and also for the livestock: pigs & steer.) There are over 160 mangalitsa pigs and highland steers – both intended for the meat source for the farm to table experience. They have cleared some brush areas on the farm and planted more Christmas trees. The barnyard is being terraced for the eating area. Many of the barns that sat empty now are being used as farrowing areas for sows and piglets. A barn has been renovated to house the “petting zoo” as associated with the Christmas Tree enterprise and the septic area and bathroom renovations were almost complete. St. Boniface microbrewers will host a “satellite” location during the Christmas season. Mr. Knepper showed the promotional video on the Elizabeth Farms website.

Mr. Knepper shared that Mr. Coleman indicated he would like to be an advocate for farming and for farmland preservation and would be willing to host special events and promote farmland preservation. Mr. Coleman and Mr. Garman shared with Mr. Knepper some concerns they had with the Lancaster Farmland Trust’s approval of the Farm to Table enterprise. Mr. Knepper admitted that upon reviewing the Trust’s approval again, he was able to appreciate Mr. Coleman’s concerns and thought them to be

valid. Specifically, a component that indicated the approval is null and void if the farm transfers and that at any given time for whatever reason the Trust could rescind approval at their sole discretion.

Mr. Jeb Musser indicated that the Trust had attempted to reach out to Mr. Coleman and heard nothing.

3) Rural Enterprise – Discussion about commercial dog kennel in existing v. new structure

Mr. Knepper told the Board that staff had been contacted multiple times by an individual interested in purchasing a preserved farm with the intention of moving his commercial dog kennel to the farm. The challenge is the existing structures on this particular farm are both limited in number and size as well as not being a location suitable for a dog kennel operation. He has repeatedly communicated his desire to construct a new building for the sole purpose of relocating his dogs.

Staff (and Mr. Knepper) explained to this individual that the only structures permitted to be built on a farm subject to an Agricultural Conservation Easement are those used for agricultural production. A dog kennel could be permitted with Board approval but only in an existing structure.

The Board made a recommendation that staff communicate with this individual that should he become the owner of this farm; his proposed dog kennel would have to be located within an existing structure.

C. Review of 2019 Applications for Preservation

Mr. Kevin Baer reviewed the new applicants for farmland preservation (not in ranking order):

Michael & Tony Brubaker, East Donegal

Warren & Linda Sensenig, Caernarvon

Samuel & Sarah Glick, Strasburg

Ed & Debra Zug, Fulton

Ed & Debra Zug, Fulton & Drumore

TTJ Enterprises LLC, Mount Joy

Phil & Sharon Fullerton, Mount Joy

Reuben Stoltzfus, Caernarvon

Earl Ray & Saraetta Shirk, West Earl

Red Knob Farm LP, Fulton

Jerry and Laurie O'Donnell, Fulton & Little Britain

John Ivan and Suetta Zimmerman, Caernarvon

Enos and Hanna Petersheim, East Drumore

Joshua Akers, East Drumore

James and Debra Krantz, East Drumore

David Nolt, Penn

Mr. Baer also shared some comparisons from the 2018 round of Applications. For instance, last year (2018) there were 26 new applications; whereas, this year: 16 new applications. But for acres applied: last year (2018) 10,780 acres and this year: 10,700 applications.

D. Discussion of Conservation Plans for Applications for Preservation

The Board and the staff discussed at what point it would be most beneficial to require an applicant to have a Conservation Plan.

It was determined that starting with the 2020 Round, applicants must submit a copy of their Conservation Plan with their Application. Prior rounds of applicants (2019 and prior) would be “grandfathered.” Minimum Criteria for application submission will have to be adjusted to reflect this requirement.

The meeting ended with some brief discussion about joint projects with the Lancaster Farmland Trust. Mr. Goodhart indicated that it must be frustrating for landowners to try and satisfy two different Boards when both organizations have a very similar yet different process.

VII. Adjourn

The meeting adjourned at 9:45 a.m.

The next scheduled meeting of the Agricultural Preserve Board

Thursday, December 19, 2019, at 8:00 a.m.

Lancaster County Government Center

150 North Queen Street, Room 104

Lancaster, Pennsylvania 17603

Action Items from today’s Meeting (November 21, 2019):

- ***Send approval letters for Rural Enterprises***
- ***Reach out to LFT to discuss joint projects and how to “manage” rural enterprise projects in the future***