



BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center
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www.berkspa.gov/departments/agriculture

County Commissioners:

Christian Y. Leinbach, Chair
Michael S. Rivera
Dante Santoni, Jr.

Board Members:

Gregg Eshelman, Chair
David L. Phillips, Vice Chair
James R. Coker

Morgan A. Firestine
Kimberly J. McGrath
Jeremy R. Meck

Steven C. Mohn
Clyde A. B. Myers
Louise A. Swartley

Ex Officio:

Robert C. Ziegenfus, Ph.D.

Solicitor:

Mark R. Sprow, Esq.

Berks County Agricultural Land Preservation Board of Directors Meeting January 31, 2024, 5:30 p.m. MINUTES

A regularly scheduled meeting of the Berks County Agricultural Land Preservation Board was held at the Berks County Agricultural Center on Wednesday, January 31, 2024, at 5:30 p.m.

Board members present: Gregg Eshelman, David Phillips, James Coker, Louise Swartley, Steve Mohn, Kim McGrath, and Clyde Myers.

Staff present: Emily Wangolo, Executive Director; Kim Fies, Deputy Director; Amanda Burkard-Sell, Agriculture Program Manager; and Ashley Rice, Ag Conservation Easement Program Technician.

In attendance: Mark Sprow, Esq. Special Counsel for the Board; and Joe Rudderow, Berks County Controller.

Gregg Eshelman, Chair, called the meeting to order at 5:30 p.m.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

Motion: A motion was made to approve the minutes of the December 20, 2023, meeting, as drafted. (D. Phillips, S. Mohn)

Discussion: None.

Vote: Motion approved.

III. STATUS OF RECOMMENDATION UPDATES

- A. Burkard-Sell reported the following changes since the status of recommendations had been submitted to the Board: Docket #2203 went to settlement in December. Docket #1911 is scheduled for settlement in early February. The remaining farms are in process.

IV. OLD BUSINESS

- A. Report on Certification of County Funding for 2024
- E. Wangolo reported the County Commissioners certified \$1,083,377 for the purchase of agricultural easements which will be sent to the state for the matching funds. The

funding includes \$1 million from the County's general fund, \$645.00 in donations received, and \$82,732.00 Clean and Green roll back penalties.

- E. Wangolo highlighted the statistics from the 2023 agricultural land preservation program.
 - To date 822 farms and 78,544 acres are preserved;
 - In 2023, 17 farms and 1240.8 acres were preserved;
 - There were 24 requests for modifications and 46 farms were transferred;
 - The County invested \$280,000 and the State invested \$3.2 million.
- The Board thanked the County Commissioners for their continued support of the agricultural land preservation program.

V. NEW BUSINESS

A. Conveyance Report

- A. Burkard-Sell reported on the transfers of ownership:
 - Section A: Transferred in Compliance – Settlements #124.1 and #124.2.
 - Section B: Transferred with Concerns Noted – Settlements #32.3 and #322.0, the deed of easement was omitted when recorded; the landowner and/or attorney has been notified. No action by the Board is required at this time.
 - Section C: Outstanding Violations - None to report.
 - Section D: Transfers Resolved – None to report.

B. Settlement #324.0 Hartman – Replacement Residential Structure

- K. Fies presented a request to replace a residential structure on Settlement #324.0 (Hartman), 102.7-acre farm in Upper Bern Township.
 - The property owners are requesting to replace an existing mobile home and all the components associated with the new mobile home structure: the foundation, the well, and the septic system are all included within the existing agreed upon curtilage. This request to replace the existing residence within the curtilage is permitted under the deed of easement.

Motion: A motion was made to approve the replacement residential structure request for Settlement #324.0 (K. McGrath, J. Coker)

Discussion: None.

Vote: Motion approved.

C. Settlement #361.0 Holcombe – Residential Subdivision

- K. Fies presented a request for a residential subdivision on Settlement #361.0 (Holcombe), 161.3-acre farm in Centre Township.
 - K. Fies reminded the Board that the landowners had previously submitted a request to subdivide 10-acres, however this had been denied due to not meeting the subdivision guidelines. Fies added that a suggestion was made to subdivide the

two-acre residential subdivision as an alternative. This request received preliminary approval from the Board, pending input from the State and the submission of final drawings. Fies noted that the State Bureau of Farmland Preservation required that a subdivision be approved by the Board first, before it could be submitted to the State Board.

- The property owners are requesting to subdivide 1.8 acres to be annexed to a separate non-preserved 1.47-acre property that they currently own to allow control of the right-of-way to their home. The landowners have submitted official drawings for the subdivision.
- The Board discussed the specifics of the request and the need for their approval to be based on the landowners agreeing to certain conditions, in that it must attain State and municipal approval and new deeds must be recorded for both parcels. The subdivided parcel must be annexed to the existing residential parcel at the time the subdivision is recorded.

These conditions must be noted on the subdivision plan:

The residue parcel retains the right for general subdivision and has exhausted the right for the residential subdivision and the construction of the allowed additional residential structure.

Motion: A motion was made to approve the residential subdivision for Settlement #361.0, with the following conditions: it receives state approval; it meets all County and Municipal requirements; The subdivided parcel must be annexed to the existing residential parcel at the time the subdivision is recorded, and the landowners will record a new deed for both parcels with the required language, (K. McGrath, L. Swartley)

Discussion: None.

Vote: Motion approved.

D. Announcement of BCALP Chair

- E. Wangolo reported the re-appointment of BCALP Board Chair, Greg Eshelman, will be held at the Commissioner’s Board meeting tomorrow.

E. Announcement of Re-Appointment of Board Members

- E. Wangolo reported Jim Coker was reappointed by County Commissioner, Lucine Sihelnik, to the BCALP Board for another 3-year term.

F. Election of the 2024 BCALPB Vice Chair

Motion: A motion was made to nominate David Phillips as Vice Chair for 2024. (J. Coker, K. McGrath)

Discussion: None.

Vote: Motion approved.

Motion: A motion was made to close the nominations for the Vice Chair for 2024. (K. McGrath, J. Coker)

Discussion: None.

Vote: Motion approved.

- David Phillips was elected as the Vice Chair for 2024.

G. Review of PENNVEST Application

- E. Wangolo informed the Board that all PENNVEST applications must be reviewed and recommended by the Board to ensure there is no negative impact on agricultural land.
- E. Wangolo outlined a request for PENNVEST funding from Amity Township to upgrade their existing wastewater treatment plant on the existing site.
- E. Wangolo noted the site is within a two-mile radius of one preserved farm and about one third of the surrounding land has an agricultural preservation or rural conservation land use designation, however the project itself will have no significant impact on the agricultural land.

Motion: A motion was made to recommend the proposed PENNVEST application for Amity Township to upgrade their existing wastewater treatment plant as submitted (J. Coker, L. Swartley).

Discussion: None

Vote: Motion approved; K. McGrath abstained.

VI. DEPARTMENTAL REPORT

A. Pre-Meeting Workshop Timing Discussion

- E. Wangolo requested the Board’s feedback regarding the need to change the timing of pre-meeting workshops as the current schedule conflicts with newly changed Board Meeting times.
 - The workshops could be limited to half-hour sessions and could begin at 5:00 p.m. prior to the board meetings or at the conclusion of each board meeting not to extend past 7:00 p.m.
 - The Board agreed to hold Board Member Workshops after the Board Meetings beginning in March.

B. Upcoming Events

- E. Wangolo informed the Board of upcoming events:

- The Department is partnering with the BCIU to host *Superintendents Day* on March 20. The day will include visits to two local agribusinesses.
- A *National Ag Day Event* will be held in March during National Ag Week. The event will include a lunch and lecture and will be historic in nature as it ties into our participation in the upcoming *America 250PA* event.
- The Department is partnering with B.A.R.N to participate in *Ag Literacy Week* in March with a sponsorship to purchase of agricultural related books to be read in K – 2nd grade classrooms.
- The Department will be hosting a 3-day tour of the agricultural industry in Berks County for educators in June. *Ag in the Classroom* offers teachers continuing education credits to incorporate ag education and careers into their classrooms.

C. Berks County Ag Study Update

- E. Wangolo updated the Board on the *Comprehensive Study on Agricultural Economic Impact and Strategic Action Plan*. Berks County, through the Berks County Department of Agriculture, is undertaking an agricultural study which will look at the economic impacts of agriculture and how the County and its partners can support the ag industry in Berks County.

VII. CITIZEN COMMENT / BUSINESS FROM THE FLOOR – None.

K. McGrath is looking for an Eagle Scout project for Exeter High School student if anyone has any recommendations. Building frames for *A Farm Forever* signs was suggested.

Motion: A motion was made to adjourn the meeting at 6:57 PM. (J. Coker, D. Phillips)

Discussion: None.

Vote: Motion approved.

Respectfully submitted,

Jennifer Leigh Smilko
Office Support