

**CUMBERLAND COUNTY  
AGRICULTURAL LAND PRESERVATION BOARD  
MEETING MINUTES**

**March 9, 2022**

**7:30 a.m.**

**Call to Order**

The March 9, 2022 meeting of the Cumberland County Agricultural Land Preservation Board was held in person and over videoconference utilizing Zoom meetings.

Attendees included:

Board members – Diane Stamy, Bill Piper, Denny McCullough, Barry Frantz, Phyllis Nye, Mike Klinepeter, \*Scott Mack

Advisory members – Vince DiFilippo, Carl Goshorn

Staff members – Kirk Stoner, Stephanie Williams, Mark Kimmel, Elizabeth Grant, Jessica Cohick

Solicitor – \*Robert Frey

Guests – None

Absent – None

*(\* attended via Zoom)*

**Approval of Agenda**

*A motion to approve the agenda for the March 9, 2022 meeting was made by Phyllis Nye and seconded by Barry Frantz. Vote was approved unanimously.*

**Approval of Minutes**

*Phyllis Nye made a motion to approve the minutes of the February 9, 2022 board meeting, Denny McCullough seconded the motion. Vote was approved unanimously.*

**Public Comment**

No comments

**Communications**

None.

**Solicitors Report**

Solicitor Frey reminded everyone to complete their financial statements, which are due to the Commissioners by May 1.

**Unfinished Business**

**Advisory Board Membership**

Ms. Williams reported that Shireen Farr is no longer employed by the Cumberland Area Economic Development Corporation. She has submitted her resignation and we would like to send her a thank you card for her time and service on our board. Stacey Cornman with Economic Development has expressed interest in the Board as a replacement for Shireen. A copy of her resume is included in the packet. Ms. Cornman works on the tourism side and is the Visitor Services Manager. She has been with the organization for 11 years. Her role in the organization is marketing which includes writing content for the website and various publications and distributing tourism literature throughout the county

Stephanie indicated the bylaws require advisory members to be appointed by the Board so if there is an interest from the Board we would need a vote. Discussion took place on Ms. Cornman's qualifications and personal interest in the program.

***A motion to nominate Stacy Cornman as an Advisory Member was made by Bill Piper and seconded by Mike Klinepeter. Vote was approved unanimously.***

## **Update on 2020-2021 Farms**

Ms. Williams provided the following highlights from the 2020-2021 status update sheets:

### 2020 Status Update

- Nealy is the one remaining farm and will likely close in the next 30 days.

### 2021 Status Update

- Staff submitted 2 additional applications for federal funding on March 1, bringing to a total of 4 applications totaling \$665,705. The 4 applicants are Morgan, Darhower, Biddle and Weber
- Working on state board packets for Nealy, Nealy and Brick. These will hopefully be on the April State Board meeting.

The program is also approaching 200 preserved farms and would like to do a press release this Spring to celebrate the accomplishment.

## **Rankin Subdivision Request – Informal Review**

Ms. Williams reported that the landowner has submitted another revised proposal. Proposal is similar in shape and size as previous plan, but now includes a 50 foot ROW along South Side Drive so that the farmer that acquires the land has access to the back portion of the property. Mr. Rankin indicates this was requested by the farmer who is acquiring the large tract. The one additional residential structure that is allowed on the property will be included in the farmland tract reducing the impact to the 18 acre tract. There was general discussion on the concern that the 18.25 acres will become an estate lot and not be farmed.

***A motion was made by Bill Piper to approve the revised plan as proposed to allow Mr. Rankin to move forward with the subdivision and Mike Klinepeter seconded. Vote was approved unanimously.***

## **New Business**

### **2022 Budget**

Ms. Williams reported on the state of the 2022 program budget. At the February meeting of the state agricultural land preservation Board, the State determined allocation of state funds. The state allocation is determined by a complex funding formula which takes into consideration: county contribution, agricultural productivity of the county and real estate transfer taxes.

- County allocated \$952,709
- State allocation \$2,147,127
- Total funding \$3,099,836
- Plus a small amount of carryover funds from 2021

## **Mains Subdivision**

Ms. Williams briefed the Board on the subdivision requested by Daniel R. Mains.

Easement: Deed book 451, Page 65 – July 23, 1993  
372.38 acres total  
West Pennsboro & Penn Townships

### Easement

Parcels: 46-09-0521-101, 142 acres, N. side of Ritner Highway  
46-09-0521-008, 2 acre houselot – 2893 Ritner Highway (N. side)  
31-09-0519-012, 73 acres, S. side of Ritner Highway/Kutz Road  
31-09-0521-010, 155 acres, S. side of Ritner Highway

Request: Mr. Mains will retain parcel -010 and -012. Parcel -101 will be conveyed to a neighboring farmer. Parcels -010 and -101 are currently described as one tract in the current property deed and require subdivision to be conveyed separately. The landowner proposes to subdivide the area into 2 tracts to reflect the existing configuration of the individual tax parcels.

Ms. Williams indicated the staff recommendation is to approve the proposal as it conforms with Sections 406.A.1-7 with the following comments/conditions:

- The landowner must determine which of the 3 agricultural tracts shall retain the right to build the one additional residential structure allowed under the easement. The subdivision plan should be updated to reflect that information. Additionally, the property deed for the tract which retains that right shall also indicate such. The deed(s) for the 2 remaining agricultural tracts shall indicate that no further residential development is permitted. All property deeds should include the terms of the deed of easement verbatim.
- Act 33 of 2019 amended the ASA law to allow for an existing residential structure to be subdivided in lieu of subdivision of the one, new additional residential structure. Parcel # 46-09-0521-008, 2893 Ritner Highway, was subdivided off in 2000 with Board approval. The house on the parcel pre-dates the easement. The deed for the tract which retains the residential right should further indicate that the 2 acre allowable residential subdivision was utilized previously.
- Draft deeds for the conveyance of the land should be provided to farmland preservation staff for review and approval at least one week prior to closing.
- Subdivision plan notes indicate Lot 2 is subject to 6 additional lots under West Pennsboro Township Zoning Ordinance Provision. These notes do not take into consideration the deed of agricultural conservation easement but rather reflect building potential allowed by the zoning ordinance by right. Recommend the engineer remove/revise the comment to avoid future confusion on residential building potential.
- If there are changes to the farming operation based on the subdivision and transfer of land, the landowner should update conservation plans accordingly and provide a copy to this office.
- Within 30 days of the change of ownership, farmland preservation staff shall be notified of the conveyance, provided with copies of recorded deeds and full contact information for the new landowner.

***A motion was made by Barry Frantz to approve the subdivision for the Mains property and Bill Piper seconded. Vote was approved unanimously.***

## **Staff Reports**

CCPD staff highlighted the following:

- Mark Kimmel reported:
  - He is working on completing the rankings for the 28 farms. There is 1 additional application being reviewed further to determine if it meets the criteria regarding zoning.
  - Pre-inspection letters are going out in a couple weeks.
  - ASA evaluations are about 50% done. Municipalities should be doing a 7-year review, this should help update our files.
  - Volunteers for ranking committee are needed. Looking to meet the 1<sup>st</sup> Wednesday of the month that is set aside for workshops. Mike Klinepeter, Scott Mack and Barry Frantz volunteered. Should only need 1 meeting on April 6 at 7:30am.
- Kirk reported that PA Ag Discovery Center discussions are continuing.. The consultant for the Dairyman's Association would like to meet within next few weeks. There are questions on both sides that will hopefully be answered and ready for the April meeting.
- Elizabeth reported on NFWF grant for conservation outreach. We received 3 responses to the RFP and will be holding interviews with 2 of them later this month.

## **Adjournment**

***Mike Klinepeter made a motion to adjourn the meeting, Phyllis Nye seconded. Vote was approved unanimously. The meeting was adjourned at 8:37a.m.***

Minutes respectfully submitted,

Jessica Cohick