

## **Summary of meeting with Lancaster County Agricultural Preserve Board and staff.**

### **Regular monthly meeting. May 28, 2015. County Government Building, Lancaster, PA**

Attending representing preservation interests were Lancaster residents: Randolph Harris, independent consulting in the field of historic preservation and community development; and Eugene Aleci, RA AIA AICP, both present as volunteers, not affiliated with any organizations nor representing any clients.

Also attending were James Cowhey, Executive Director, Lancaster County Planning Commission, and Scott Standish, Chief, Long Range Planning, Lancaster County Planning Commission; and representatives of Lancaster Farmland Trust: Jeff Swinehart, Deputy Director and Joella Garber, monitoring specialist.

The board, staff and guests discussed the points raised in the following draft position paper, from about 8:30 AM until shortly after 10 AM:

#### **Position Paper/Statement of Purpose – Draft 5-25-15**

#### **A land and buildings stewardship initiative for Lancaster County farms preserved by conservation easements**

This text is presented for consideration as the basis for a position paper that might be approved in the form of a resolution by the Board of Directors, Agricultural Preserve Board of the County of Lancaster, following review and comments from various stakeholders.

**GOAL:** To identify those farms in Lancaster County that include agricultural buildings that hold historic significance, and to provide incentives to farm owners to retain, maintain and preserve historic dwellings, buildings and related structures for the benefit of the owners and the community at large.

**SCOPE:** In furtherance of its mission, the Board is requested to acknowledge the broader economic, educational and overall importance to the community of historically significant agricultural buildings on farms in Lancaster County. In this regard, the subject agricultural buildings should be acknowledged as integral to the County's unique and widely recognized working agricultural landscape, which for decades has been given high priority for protection and preservation in virtually every plan, study, report or analysis developed at the federal, state, county and local government levels. Farms that should be considered for program involvement include: .....

**STRATEGY:** To demonstrate the importance of these historic and cultural resources, the Board is requested to join with other agencies, conservation and preservation organizations and interested citizens in a collaborative effort to create a pilot program that will be designed to assist farmers and their associates to retain, maintain and preserve historic agricultural buildings for uses that will enhance the viability of the owners' farming operations and which will provide social, economic and quality of life benefits to the community at large.

To this end, the (Name?) working group of organizations and individuals collaborating on this initiative will consider the following circumstances, market forces and trends, concepts, options and recommendations, among others:

1. Background and authorization basis: *might be proper here (or elsewhere) to cite appropriate statutes, regulations, policies, mission statements and/or plans that form the impetus for and basis of the subject initiative by the LCAPB and others involved...i.e., PDA & PHMC current dialog, LC Comp. Plan, Municipal Comp. Plans & Ordinances, etc.*

2. The County Ag. Board is authorized/is not restricted by state statute, through its farmland preservation application process, to assign a higher ranking and rating for access to public funds for permanent preservation of farmland, on farm properties that may include buildings considered to have historic significance (need to define what constitutes *historic significance*\*);
3. A process for applying a priority rating could be accomplished as part of the applicant's Environmental Plan;
4. An enhanced rating could be based on the willingness of the applicant to preserve through separate easement held by other conservation organizations that would protect in perpetuity the property's historic buildings (including the main dwelling other potential residential buildings), i.e., its built environment, as well as features that include its natural environment;
5. Transfer of Development Rights: examination warranted of TRDs to meet initiative goals;
6. Clean & Green – a variation: what potential exists for some type of property tax relief for farmers involved in this effort?
7. Technical assistance to attract and facilitate program participation is available from a variety of free, open source and/or fee for service providers. These include legal and appraisal services, business planning, architectural services, research and documentation, site design, etc.
8. Others?

**\*Historic significance:** the importance of a property to the history, architecture, archeology, engineering, or culture of a community, state, or the nation, determined by: association with events, activities, or patterns; association with important persons; distinctive physical characteristics of design, construction, or form; site potential to yield important information, as in its archeological record (From National Park Service, US Dept. of the Interior).

The conversation focused on two prevailing counter perspectives shared by Board members:

1. General consensus by Ag. Board members and staff that, while not opposed to farmers voluntarily preserving potentially historically significant buildings on their property through involvement with other organizations, agencies, etc. – as long as any conservation provisions, covenants, easement restrictions, etc., do not adversely affect the commercial viability of the farm operations -- the board does not support any additional procedures being added to the application review process. This would preclude their support for adding any special, positive rating/ranking criteria, based on the presence of historic buildings on the property.
2. Also the board would not support any programs or initiatives that would result in additional requirements imposed on farmers to preserve buildings on their properties. This would include a local municipal zoning ordinance amendment that would address historic and natural resource protections through the zoning/ building permit or subdivision/land development process.

Based on these views, the Board would not endorse or authorize staff to participate in a pilot program, along with other preservation/conservation orgs./agencies, as suggested by those advancing this preservation initiative.

In taking these overall negative positions, board members who voiced their opinions seemed to make strenuous efforts to bring up worse case scenarios they believe would be association with a building preservation effort that would inhibit or preclude their ability to advance any kind of land preservation program or initiative to their target market: Lancaster County farmers.

These scenarios or impediments included the real or perceived perception of infringement on farmers' ability to deal unfettered with any property/building changes as they see fit; and presumed excessive costs that will be associated with addressing repairs and maintenance on old or historic buildings.

Efforts to counter those negative assertions by stating a series of hypothetical situations where a farmer could realize economic support or gain or positive community relations also were routinely deflected as unrealistic, unattainable, or generally unwelcome.

These included the potential for public or private funding to assist in building retention and rehab (perhaps through transfer of development rights); property tax relief akin to the "clean and green" program but expanded or established for historic ag. building preservation; and the potential that rural-based, ag-support businesses might partner with a farmer to acquire through subdivision, or lease historic ag. buildings, and re-purpose them for another economic use.

These ideas/scenarios were repeatedly described (and automatically linked) as the likely source of a potential series conflicts and source of complaints that would be directed against farmers and their need to conduct their farming operations unimpeded in any way in or nearby the partnering business that would occupy an historic ag building on site; the need for parking to accommodate any new or additional uses in an historic ag. building was presented as a being an automatic reduction of land area for ag. purposes, and therefore would be prohibitive, precluding any possible creative solutions that might be offered/designed to address this simple, basic land use issue.

Final reactions were summed up by Ed Goodhart and Commission Dennis Stuckey. Goodhart repeated the same rationale for rejection of these ideas as he did at a board meeting in December 2014: essentially that preserving historic buildings is not what the Ag. Board has focused on and there does not seem to be any mandate that they should do so, from their perspective, despite Harris's statements to the contrary, citing the state Constitution's environmental rights amendment and statutory requirements for preserving historic and natural resources under the MPC and PA History Code, Title 37, as well as the goals and strategies of the Lancaster County Comprehensive Plan, with its heavy emphasis on historic preservation, cultural resources management and in advancing heritage tourism as an economic development generator.

Apparently as a counter argument, Commissioner Stuckey stated that the Ag Board is in operation to "preserve the history of production agriculture in Lancaster County,"