



# BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center  
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[www.berkspa.gov/departments/agriculture](http://www.berkspa.gov/departments/agriculture)

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**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.

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## Berks County Agricultural Land Preservation Board Meeting October 29, 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, October 29, 2025, at 5:30 p.m.

**Board members present:** Gregg Eshelman, Steve Mohn, Clyde Myers, Louise Swartley, and Jim Coker.  
**Staff present:** Kim Fies, Executive Director, Amanda Burkard-Sell, Deputy Director, Mary Shah, Agriculture Program Manager, Rachel Painter, Office Support IV, Emily Goense, Agriculture Program Coordinator.

**In attendance:** Mark Sprow, Esq. Special Counsel for the Board.

**Public:** None.

Gregg Eshelman, Chair, called the meeting to order at 5:37 p.m.

### I. PUBLIC COMMENTS ON AGENDA ITEMS — None.

### II. APPROVAL OF MINUTES

**Motion:** A motion was made to approve the minutes of the September 24, 2025, meeting. (L. Swartley, S. Mohn)

**Discussion:** J. Coker abstained.

**Vote:** Motion carried.

### III. STATUS OF RECOMMENDATION UPDATES

- A. Burkard-Sell stated that under letters D, E, and I, dockets #1623, #0607, and #2406, settlement for those farms is scheduled for November 6, 2025.
- Under letter H, docket #0156, was originally proposed for December State Board meeting, has now been moved to February 2026 board meeting, as landowner is working on a right-of-way issue.
- Under letter K, dockets #2002, #2401, #2402, and #2411 approved at October State Board meeting.

- Under letters G and L, dockets #9833, #2403, #1305, #2409, and #2410 are on schedule to go to the December State Board meeting.
- There are 2 appraisals for review in Executive Session.

#### **IV. OLD BUSINESS**

##### A. Greenwich Township Review

- L. Swartley began the discussion by thanking the staff for the job that they do, stating that she is impressed and feels blessed to be on the Board.
- L. Swartley met with M. Shah, C. Myers, and E. Goense over several weeks to pare down the landowners in Greenwich Township that would be receiving letters, based on the eligibility of their land.
- E. Goense stated that the staff went through and counted acreage, productive ag, and removed some off the list that they compiled.
- A total of 59 letters were sent in two time periods, on October 6<sup>th</sup> and October 23<sup>rd</sup>.
- M. Shah and E. Goense put together packets for landowners.
- G. Eshelman wanted to add on to L. Swartley's earlier praise of staff, calling them outstanding, and stating that they are quick to respond to requests.

#### **V. NEW BUSINESS**

##### A. Conveyance Report

- M. Shah stated that the properties under letter A, five farms transferred in compliance, referring to settlements #176.0, #705.0, #756.0, #666.0, #666.0.AR, #667.0.AN.
- M. Shah went on to explain that the last 3 are the Newswanger annexation; landowner took 37.8 acres from one farm to add to another and recorded new deeds with legal description. AR stands for annex residual, AN is the annexed piece.
- M. Shah stated that she is in contact with all settlements under letter B, referencing settlements #448.0, #340.0, and #338.0, to fix their deeds of easement.
- Under letter D, settlement #381.0 has now been filed correctly.

##### B. Donation Request

- A. Burkard-Sell let the Board know that staff received a request to donate an easement.
- A. Burkard-Sell explained that guidelines allow for bargain sales, which are \$1 easement purchases. Those must meet all minimum criteria, and then Board can apply for full reimbursement of the incidental expenses from the State.
- They also allow for a true donation, in which the landowner gets zero funds. The requirements for a true donation are less strict, meaning they don't need to meet minimum criteria, but reimbursement only covers up to \$5,000 maximum of incidental costs.

- A. Burkard-Sell let the Board know that currently incidentals currently range anywhere from \$15,000 to \$25,000. K. Fies explained that includes the survey, the appraisal, title search, and notification to adjoining landowners.
- A. Burkard-Sell also explained partial donations, where a portion of the property does meet minimum criteria and is processed through the State, and where a portion does not meet minimum criteria, and those acres are donated.
- A. Burkard-Sell explained that the property seeking to donate is docket #1220, which meets minimum criteria for acreage at 37.86 acres, is not adjacent to any other preserved farms, it is in ag security and has 69% ag production. However, it only has 48% soils in classes 3 and 4.
- G. Eshelman asked if the soils were where the property falls short, and K. Fies explained that yes, by about 6 acres. They would need to meet minimum criteria, which would be 50% soils, to be considered for the bargain sales donation option.
- The Board does not have to accept the donation, since this property is out of ranking order and is not during the normal selection process.
- A. Burkard-Sell explained that the Board could do the bargain sale option on 35 acres and donate the remaining acres. She spoke to the State employee that processes donations and was told this was acceptable.
- K. Fies let the Board know that this property has applied for preservation 2011 and has been ranked since 2012. K. Fies stated that the owners are doing some estate planning but want to preserve the land.
- Discussion was had about what option would be best to take, if the Board decided to accept the donation.
- K. Fies stated that if the Board decides not to move forward with this donation, staff will have to inform the landowners that they will not be ranked going forward.

**Motion: A motion was made to accept the donation under the staff's guidance.  
(C. Myers, J. Coker)**

**Discussion: None.**

**Vote: Motion carried unanimously.**

## **VI. DEPARTMENTAL REPORT**

### **A. Easement Modifications**

- K. Fies reminded the Board that ag structures do not need an official Board motion, but that staff does ask to be notified about them, so that they may be put on the agenda and so documented.
  - Ag Structure — L.P.328.0 — Leiby
    - Request for a 50x120' barn for animal and commodity storage, after major fire occurred in August.
  - Ag Structure — L.P.163.0 — Lehman

- 56x110' replacement for ag storage. Building has received municipal approval for an accessory structure.
- Ag Structure — L.P.33.0 — Lenzi
  - 60x100' ag storage structure.

#### B. Upcoming Events

- K. Fies let the Board know that the staff attended the State celebration of 6,600 preserved farms, which comes to a total of 650,00 acres preserved across the state of Pennsylvania.
- K. Fies thanked the Board for their kind words and stated that she felt blessed that Berks County has the Board that they have.
- K. Fies let the Board know that C. Myers has been reappointed to the Board, and that two more appointments are forthcoming.
- K. Fies let the Board know that the Center for Excellence in Local Government will be having a breakfast at the Nature Place at 8:30AM, and that she and A. Burkard-Sell will be attending, in case any of the Board members also wish to attend.
- K. Fies stated staff did provide feedback to Eugene Bell, the landowner who built home in the middle of a field, also changed plans that now have a larger curtilage than allowed.
- Staff is also working with the Conservation District regarding a farm where farming practices have resulted in excessive erosion concerns, which have caused significant damage to the neighbors and to Township roads. K. Fies also noted that he has been operating without a plan for multiple years.
- The Ag Center and staff will be hosting 9<sup>th</sup> grade students from Reading, Schuylkill Valley, and Conrad Weiser high schools over three mornings to encourage them about careers and opportunities in agriculture.
- The annual Agriculture and Natural Resources Career and Job Fair will be held on Thursday, November 13<sup>th</sup>, at the Leesport Farmer's Market.
- Tire Collection will be on November 20<sup>th</sup>.

#### VII. CITIZEN COMMENT / BUSINESS FROM THE FLOOR — None.

#### EXECUTIVE SESSION

**Motion:** A motion was made to approve offering the cap of \$2,800 an acre to docket #2506 and #2520. (J. Coker, L. Swartley)

**Discussion:** None.

**Vote:** Motion carried unanimously.

**Motion:** A motion was made to acknowledge conservation plans of docket #2209, #2513, #2515, #2511, #2521, and parcel #471. (S. Mohn, J. Coker)

**Discussion:** None.

**Vote:** Motion carried unanimously.

**Motion:** A motion was made for the Attorney Jeff Bukowski to send a letter to the owners of Settlement #322.0 (Landis) outlining the history of the outstanding violations, the previous timeline and inform them of an upcoming inspection on November 12 to obtain necessary information, and follow up with appropriate enforcement action if necessary. **(J. Coker, L. Swartley)**

**Discussion:** Additional discussion was had regarding the visit and potential enforcement actions.

**Vote:** Motion carried unanimously.

**Motion:** A motion was made to adjourn the meeting at 7:08 PM. **(J. Coker, S. Mohn)**

**Discussion:** None.

**Vote:** Motion carried unanimously.

Respectfully submitted,

Rachel Painter  
Office Support IV