



# **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 July 30, 2025, 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, July 30, 2025, at 5:30 p.m.

**Board members present:** Gregg Eshelman, Kim McGrath, Morgan Firestine, Dave Phillips, Jeremy Meck, Clyde Myers, Louise Swartley, Steve Mohn, Jim Coker.

**Staff present:** Kim Fies, Executive Director, Amanda Burkard-Sell, Deputy Director, Mary Shah, Agriculture Program Manager, and Rachel Painter, Office Support IV.

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

**Public:** None.

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 June 25, 2025, meeting, as amended. (D. Phillips, J. Meck)

**Discussion:** None.

**Vote:** Motion carried. J. Coker abstained.

### **III. STATUS OF RECOMMENDATION UPDATES**

- A. Burkard-Sell noted no changes since distribution.
- There are 5 farms to be presented at August State Board meeting: under letter A, docket #0939, under letter C, docket #0818, under letter H, docket #2309, and under letter L, dockets #2404, and #2405.
- A. Burkard-Sell stated two farms went to settlement: under letter E, docket #2310, and under letter F, docket #2308.
- There are 4 to 5 to be presented at October State Board meeting.

- Under letter P, docket #2408, landowner withdrew farm due to selling mid-process, and new owner is not interested in continuing.
- Under letter T, dockets #2505, and #2504 are appraisals for executive session.

#### IV. OLD BUSINESS

##### A. 2025 LESA Ranking Selection Update

- A. Burkard-Sell stated that since the last meeting, four additional farms were selected: #25 and #26, both chose not to proceed. Subsequently, the list moved down to #27 and #28, and staff is still waiting to hear back from both farms.
- M. Firestine inquired as to whether or not withdrawing removed them from the list; A. Burkard-Sell advised that unless they completely withdraw, they stay on the list to be ranked again the following year.

##### B. Letter to State Re: Residential Subdivision Concerns

- K. Fies reminded the Board of their discussion of the letter regarding residential subdivisions at the March or April and noted that Stephanie Zimmerman from the Bureau of Farmland Preservation advised that the letter be sent out as soon as possible, since the regulations are in process of being rewritten. Fies noted that a draft of the letter had been sent with the Board meeting agenda.

**Motion:** A motion was made to approve sending the letter as written. (J. Coker, J. Meck)

**Discussion:** None.

**Vote:** Motion carried unanimously.

##### C. 80K Celebration Final Accounting/Discussion

- K. Fies let the Board know that \$37,975 was deposited into the B.A.R.N. pass through account. Final accounting according to staff is \$18,197 remaining, B.A.R.N. has \$18,502 remaining in the account, which might be due to refunded persons not cashing checks.
- K. Fies asked that Board consider making a financial gift to B.A.R.N. in return for the accounting they have done for the event and also asked that the Board support the Mark Weber Farm Celebration in September.
- K. Fies advised that Mark Weber donated to the 80,000 Acre Celebration, was recognized as a Century Farm, and supports agriculture in various manners.
- Discussion was held as to whether the Board can donate the left-over funds to a private celebration and what information the sponsors had been provided regarded additional donations.
- The Board discussed other potential uses for the funds and agreed that B.A.R.N. should continue to hold them until further discussion was had.

**Motion:** A motion was made to approve giving \$2,000 to BARN: \$1,000 to cover their accounting, and \$1,000 to reimburse the Webers for their donations to the 80,000 Acre Celebration. (J. Coker, J. Meck)

**Discussion:** None.

**Vote:** Motion carried unanimously.

D. Municipal Letters — Round #2

- C. Myers discussed sending additional letters to potential applicants and offered three potential township to evaluate and send letter to landowners: Greenwich Township, Upper Bern Township, and Perry Township, and asked that the Board make the decision at the meeting in the event that landowners need time to get the land into Ag Security.

**Motion:** A motion was made to send letters landowners in Greenwich and Upper Bern townships. (J. Coker, J. Meck)

**Discussion:** L. Swartley brought up concerns regarding sending letters to two townships versus one.

**Vote:** Motion carried, one opposing vote.

V. NEW BUSINESS

A. Conveyance Report

- M. Shah stated that the property under letter A, settlement #593.0 transferred in compliance.
- M. Shah let Board know that the property under letter B, settlement #448.0, was discovered by coincidence, and a letter was sent to landowner asking him to file a corrected deed.
- Under D, settlements #342.0 and #541.0 all settlements have been resolved with corrective deeds.

B. Public Comment Policy

- K. Fies let the Board know that she worked with M. Sprow to find some language to guide public comment period at meetings. The Board discussed putting this language at the bottom of the sign-in sheet and sending it via email to any members of the public that expressed interest in attending a meeting.

**Motion:** A motion was made to approve the public comment policy as presented. (D. Phillips, L. Swartley)

**Discussion:** None.

**Vote:** Motion carried unanimously.

C. Western Berks Water Authority PennVest Application

- K. Fies reminded the Board that as a requirement, the Land Preservation Board reviews any PennVest applications
- Property owned by Western Berks Water Authority and is the current site of the Western Berks Water Authority water treatment plant.

- A. Burkard-Sell described the project as two-fold: part one is a clearwell expansion, complete filter reconstruction, electrical upgrades, chemical feed system improvements, sludge handling and processing improvements, and to address contaminants and address aging existing equipment and structures. Part two is the addition of granular activated carbon (GAC) contractor units and supporting infrastructure to address PFAS in source water.
- A. Burkard-Sell advised that there will be no increase in capacity, and no major changes or territory expansion. A. Burkard-Sell also stated that the serviced communities are Wyomissing, West Reading, and Shillington, who also sells to Mohnton, Wernersville, Spring, Cumru, Bern, and Lower Heidelberg townships.

**Motion:** A motion was made to recommend the proposed PennVest project to upgrade the Western Berks Water Authority Treatment Plant project. (K. McGrath, S. Mohn)

**Discussion:** None.

**Vote:** Motion carried unanimously.

**D. Landowner Request – Requires Board Action: Easement Modifications – LP.541.0 – Construction of second residential structure**

- K. Fies let Board know that landowner would like to tear down existing house and barn, and use remaining foundation for a garage, and build house around it. Landowner still needs to send plans to Board for approval. Since the proposed residence is outside of the curtilage of the existing one, it would need to be considered the additional residence.
- K. Fies noted that the request was within the guidelines and that preliminary approval could be granted pending submission of final plans.

**Motion:** A motion was made to give preliminary approval for the request to construct the additional residence with final approval conditional on the plans provided. (K. McGrath, J. Meck)

**Discussion:** None.

**Vote:** Motion carried unanimously.

**E. Conservation District Board Nominations**

- K. Fies stated that the Ag Land Pres Board is a nominating organization for the Conservation District Board, who are appointed by the Commissioners.
- Larry Kehl is seeking renomination as a Farmer Director, David Beane is seeking renomination as a Public Director, and Piper Sherburne is seeking renomination as a Public Director. Piper Sherburne is also Chair of the Conservation District Board.
- K. McGrath asked the length of the term, and K. Fies stated it was a 3-year term.

**Motion:** A motion was made to support the candidates listed in nomination letter. (J. Coker, J. Meck)

**Discussion:** None.

**Vote:** Motion carried unanimously.

## **VI. DEPARTMENTAL REPORT**

### **A. Upcoming Events**

- K. Fies stated that staff is updating mod forms to ask that a copy of the most current conservation plan is provided when any request is made.
- Kurtz – township agreed to new ordinance regarding the biodigesters, that ordinance was reviewed by Planning, comments were included from Ag office. The ordinance was passed in original form, with no comments included in adopted language.
- Hertzler Farm in Robeson township, proposed a rural enterprise, proposed clearing a wooded area out and put some stone, to store dynamite. Land Preservation Board advised max of 2 acres with no permanent structures.
- The plans submitted to township and Planning included 4 acres, with concrete walls sectioning off the area.
- K. Fies sent letter back with copy of approval letter, stating proposed plan exceeds allowance set forth by approval letter, and has a meeting to discuss.
- K. Fies noted that interviews were held for the open ACE Program Coordinator position vacated by M. Shah and that a decision will be made by Friday.
- Farm Market Fest is on September 6<sup>th</sup>, spearheaded by M. Shah.
- Oley Fair is in September.
- In November, Superintendent's Day, Tire Collection, and Agricultural Career Fair.

## **VII. CITIZEN COMMENT / BUSINESS FROM THE FLOOR**

- L. Swartley suggested the staff look into getting a large vinyl banner to display at events and that maybe some of the left-over Celebration funds could be used for this.

## **EXECUTIVE SESSION**

**Motion:** A motion was made to approve offering the cap of \$2,800 an acre to docket #2504, and to offer the amount of \$2,785 to docket #2505. (J. Coker, J. Meck)

**Discussion:** None.

**Vote:** Motion carried unanimously.

**Motion:** A motion was made to adjourn the meeting at 7:20 PM. (C. Myers, J. Coker)

**Discussion:** None.

**Vote:** Motion carried unanimously.

Respectfully submitted,

Rachel Painter  
Office Support IV

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