



Dickinson Township
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PLANNING COMMISSION MEETING MINUTES
June 12, 2024

PRESENT: BETH KIKLA, ELIZABETH GRANT, ROBERT LINE, JUSTIN SMITH, NATHAN MERKEL (VIA PHONE) MEMBERS; Glenn Kelso Jr, Public Works Director, Abigail Miller, Zoning/Codes Officer, Laci Hockenberry; Receptionist/Assistant Secretary/Treasurer, Matthew Boyer, Solicitor

ABSENT: Kenwood Giffhorn, Mark Hockley, Jason Reichard

VISITORS: Ben Wilson, Doug Hottle, Brendon Perry, Harold & Joy Warnick

CALL TO ORDER

The meeting was called to order at 6:01PM by Chairwoman Grant.

PLEDGE OF ALLEGIANCE – Those present recited the Pledge of Allegiance.

OPENING ANNOUNCEMENTS:

The DTWP Park and Recreation Board is seeking a volunteer to serve on their Board. Please contact the Township Office at (717) 486-7424 if you are interested in serving.

The DTWP Zoning Hearing Board is seeking volunteers to serve on their Board as Alternate Members. Please contact the Township Office at (717) 486-7424 if you are interested in serving.

APPROVAL OF AGENDA

A motion was made by Robert Line and seconded by Beth Kikla and unanimously passed for approval of the agenda.

APPROVAL OF MINUTES

A motion was made by Beth Kikla and seconded by Robert Line and unanimously passed to approve the May 8, 2024, meeting minutes.

CHAIRPERSON'S COMMENTS: None

PUBLIC INPUT:

REVIEW OF PLANS:

Agricultural Security Area Addition Application – West Cumberland Partners N. Dickinson School Road

Public Works Director Kelso explained that the proposed ASA addition is a 130.82-acre tract of land located on N. Dickinson School Road. The application was submitted to the Township and there was a 15-day comment period at which time the township received petitions with 50-60 signatures against FPRs or the rights for FPRs to be spread on this property. Mr. Kelso explained that the Agricultural Security Area committee met at 5pm and they recommended approval as it has met all criteria outlined for the ASA addition.

Chairwoman Grant stated that the ASA law requires certain criteria to be met and outlined it as follows:

1. The parcel is comprised of a minimum of 10 acres unless the property is able to demonstrate a yearly gross of \$2,000 from agricultural production.
2. At least 50% of the soil of a proposed addition must contain class 1-4 soils.
3. The addition is compatible with current zoning, and it aligns with county and municipal comprehensive plan which show that this area is consistent with Agricultural uses.
4. Is the property viable for agricultural or suitable agricultural production and will it be economically feasible for the future.
5. The proximity to other land in the ASA or agricultural conservation easements and whether there is any farm improvements.

After outlining the criteria Chairwoman Grant stated that the parcel meets all requirements as it is above the 10-acre requirement, 100% of the soils are identified as being in classes 1-4, the parcel aligns with Cumberland County's future land use map and the property is in the Agricultural zone in the Township. The property's viability and feasible future for Agriculture is shown in the current production of row crops. Public water and sewer are not available to the property which would limit non-agricultural development opportunities. She also noted that the parcel abuts a property to the West that is currently enrolled in the Cumberland County Agricultural easement program.

Public Works Director Kelso stated that staff have reviewed the application based on the same criteria and seen that all was met. He provided the Planning Commission with a map that shows the current ASA and land preservation properties in the Township. He explained that they are preserved through the state and county program will have their developmental rights bought and this designation will run in perpetuity with the land.

Doug Hottle from 4 Walton Drive introduced himself, he is one of the signatories on the petition that was passed around in the Lindenwood Development. He stated that he understands that the criteria has been met and he has nothing but good things to say about his neighbors. Their concern is with the FPRs, and he wanted to make sure there was a marker that they object to the property being used to dump FPRs or install a slurry pit. He explained that people have no objection to normal farming but in his opinion the spreading of FPRs is not what he considers normal farming but is instead industrial waste hauling. Mr. Hottle concluded his statement by reiterating that the owners have moved rocks and trees, and he appreciates the work they have done but they intend to continue the fight against FPRs whether through legislation, courts or attending meetings because they believe it is unhealthy and poses risks to the water supply.

Harold Warnick from 24 Peyton Drive explained that his main concern is the possible content in the FPRs that is not supposed to be in there such as antibiotics and how it can affect the water supply. He noted that directly across from this parcel is an elementary school that depends on a well and it would be imprudent to move forward without permission or some constraints on the testing of the material before experimenting on kids.

Chairwoman Grant noted a resource in Penn State Water Extension. Public Works Director Kelso noted that the township recently held a water testing event through Penn State Water Extension in April. The water samples that were tested that evening showed to be in safe ranges, but he did note that not all testing was completed that evening. Beth Kikla inquired if the school tested their water. Public Work Director Kelso stated that he did not know of, but the Township does encourage residents to have their water tested.

Joy Warnick from 24 Peyton Drive appreciates the water testing and believes that it is a key step in the process. Mrs. Warnick stressed the importance of the producers being transparent and disclosing what is in what they are spreading, and that it should be monitored on multiple fronts.

Brendon Perry from 80 N Dickinson School Rd discussed that he doesn't believe that people object to conventional farming practices but the importing and spreading of materials that are not proven fertilizer is not what he considers conventional farming. He explained that he moved in prior to the start of the FPR spreading and has noticed a change in the Township and its air quality. He would be curious to hear from the landowners on what their plan for the property is.

Ben Wilson, who is part owner in West Cumberland Partners LLC, was present. He confirmed that they have never spread FPRs on the property and that it has been strictly cow manure brought in from a dairy farm in Shippensburg. He explained that there is a constant rotation of corn, wheat and soybean crops being grown. Most of the corn and bean meal is taken

back to the dairy farm and the wheat is sold at open markets. Mr. Wilson said that there is no plan to build or change the farm and there is no plan to change it, they would just prefer to keep it as is and not see it turned into a development.

Solicitor Boyer inquired if the applicant would be willing to offer as a condition of approval, that FPRs will not be used on the property as subject to the application. Mr. Boyer noted that he doesn't think the Board of Supervisors can impose such a condition but if the applicant were willing to offer it as a condition it would be fine. Mr. Wilson explained that he is not sure if he is allowed to, due to the tight regulations and limitations set in place by the Ag Security Act. He reconfirmed that they have no plans to spread FPRs, stating that they have been approached twice and have turned the option down with no plans to accept it later.

Chairwoman Grant explained that the wording on the requirement is that you cannot unreasonably limit a future agricultural use and would need to be evaluated at that level.

Beth Kikla noted Solicitor Boyers comment, stating he used the word "offer" which is a very important distinction for everyone to understand that the Planning Commission cannot approve based on a condition and she doesn't believe the Board of Supervisors has the ability to either. She wanted to underscore that an offer means a voluntary act on the applicant's part that we cannot require and wanted to ensure that was clarified. As of right now we do not have that ability.

Robert Line noted that we should not be strong arming our residents into giving up their rights and that is not a practice that he is in compliance with or that Solicitor Boyer should be encouraging.

Solicitor Boyer explained that the board could not require it, but he was simply inquiring to alleviate residents' concerns.

Chairwoman Grant thanked the Planning Commission and residents for the discussion and comments.

Beth Kikla motioned to recommend approval of the agriculture security area addition request submitted by West Cumberland Partners LLC. The motion was seconded by Robert Line and passed unanimously by the Planning Commission.

NEW BUSINESS: None

ZONING OFFICER'S REPORT: Public Works Director Kelso introduced the Planning Commission to Abigail Miller who accepted the position as the new Township Zoning/Codes Officer.

SOLICITOR'S REPORT: None

ENGINEER'S REPORT: None

PARK & REC LIAISON REPORT: None

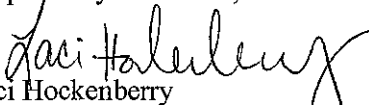
SUPERVISOR LIAISON REPORT: Supervisor Line encouraged attendance at the Board of Supervisors meetings and explained the board is excited about what the FPR Coalition can provide. The next Board of Supervisors meeting will be held on June 17, 2024.

OLD BUSINESS:

ADJOURNMENT

Beth Kikla motioned to adjourn the meeting at 6:39 PM. The motion was seconded by Robert Line and passed unanimously.

Respectfully submitted,


Laci Hockenberry
Assistant Secretary/Receptionist