

Brecknock farmers express zoning setback concerns

FIVEPOINTVILLE — Because of the many small farms in Brecknock Township, farmers are seeking additional changes in proposed zoning setback requirements involving poultry or livestock operations and neighboring residential dwellings.

The setback regulations emerged as a major concern of approximately 175 township farmers who attended a meeting in the Fivepointville Fire Hall Tuesday night.

The meeting, which was the second held recently to voice farmer concerns over proposed agricultural zoning regulations, included a discussion of zoning by Aaron Stauffer, Ephrata Township supervisor, and a review of changes made by Brecknock supervisors in the proposed updated ordinance since the initial meeting of farmers.

Brecknock Township farmers are chiefly concerned with how setback requirements could affect future expansion of poultry and livestock operations.

As now proposed by the township, expansion of poultry or livestock operations located within 500 feet, but in no case less than 250 feet, of a dwelling would need to be reviewed and approved by the Zoning Hearing Board. The Hearing Board, in determining whether the setback should be reduced to a figure down to the minimum of 250 feet, would consider such factors as predominant wind direction and topographical

conditions to decide if the reduced conditions are not detrimental to the dwelling.

Brecknock farmers will send representatives to the township's regular meeting on March 3 to request that the setback be reduced to 250 feet without any qualification of the need of the granting of a special exception by the Zoning Hearing Board.

Also, the farmers want the 250-foot setback to work both ways. They want this setback to apply to the building of a new residence in the vicinity of an existing poultry or livestock operation.

Because of the small size of many farms in the township, future location of dwellings on adjacent land of another owner within 250 feet of a poultry or livestock operation could make that operation a non-conforming use. This would then hamper any future expansion of the poultry or livestock operation.

Another of farmers' major concerns — a 25-acre minimum requirement for concentrated poultry or livestock operations — has been apparently satisfied in changes made by the supervisors.

The 25-acre minimum requirement has now been deleted from the ordinance. In its place a section has been added that manure handling and agricultural facilities shall be managed in a manner to prevent pollution in accordance with regulations in the Manure Management Manual of the Pennsylvania Department of

Environmental Resources.

Concerning other sections of the proposed updated ordinance dealing with agricultural areas.

The section requiring that liquid manure be incorporated into the soil within 10 days of application now contains a clause stating if weather and soil conditions permit.

Dead livestock, which must be properly disposed of within 48 hours, can be stored in a building or container in the interim.

Under the definition of farm structures as silos,

corn cribs and stables were added.

The Brecknock supervisors also plan to hold a final public hearing on the zoning ordinance at 7:30 p.m. on Wednesday, March 11, at the elementary school in Bowmansville. Scheduling of the hearing contains the stipulation that the supervisors reserve the right to limit the time of the hearing since two other public sessions were held.

In the meantime, the ordinance and map may be examined at the Brecknock Township Municipal Building, Fivepointville, from 9

a.m. to noon and 1-3 p.m. Monday through Thursday.

In his discussion, which sometimes included a combination of Pennsylvania Dutch dialect and English, Stauffer, of Ephrata Township, outlined the conservation of farmland and how it must be carried out in conjunction with development.

He also explained to the group how he became a supervisor and personally involved in such activities as farmland preservation and zoning. —DA

Consider alternatives before selling land

QUARRYVILLE — Landowners who are offered what seems like a good price for their farmland should consider many factors before selling, points out B Wayne Kelly, extension farm management specialist at Penn State.

He offers these tips: Remember the income tax implications. Don't assume that the gains are not taxable if you invest your money in like property within a year. The only way you skip the gains tax in this way is to

sell a government body with eminent domain rights, or to a publicly controlled utility for certain purposes.

You may want to consider contract sales possibilities. They may reduce your annual income tax obligation, but be wary of long-term contracts.

Avoid long-term contracts with non-interest bearing clause—Section 483, Internal Revenue Code.

Try the possibility of trading—except for eminent domain cases,

trading one property for another is the only way to defer income tax on capital gains.

And don't forget to consider the cost of holding land—perhaps the money could earn a greater return elsewhere.

Kelly says that if the offer is substantially more for land than it's worth for agricultural uses, this is a good point to consider.

The greater income from the sale of the farm could bring an even greater return in some other investment.

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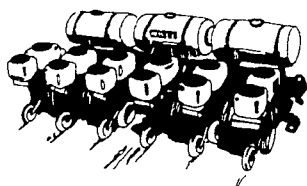
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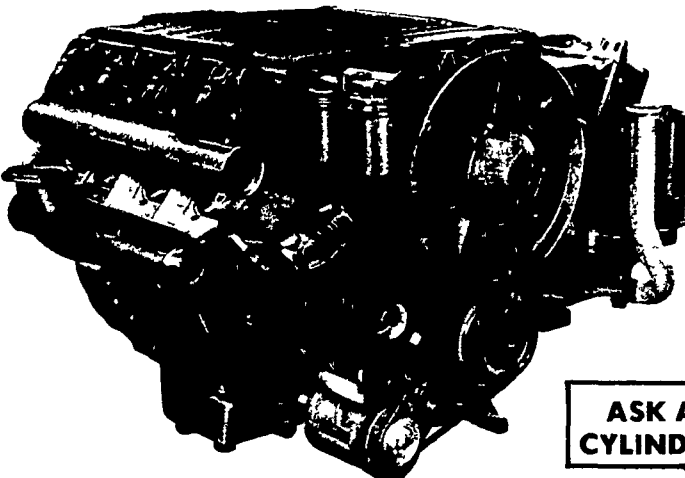


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