

# Officials Assume Farmers Want Property For Houses

**Editor's Note:** This is part two in a two-part series about how local government decisions have affected farmers. The first article reported on how a Dauphin County dairyman had to resort to the courts to correct county officials error in recalculating tax assessment values for properties included in the preferential tax Clean and Green program.

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**CORNWALL** (Lebanon Co.) — No one from the county government and no one from the borough hall, a mile away, had telephoned or stopped to talk with Glen and Linda Krall about the possibility of rezoning their dairy farm for building houses.

But government officials set out to do just that: rezone a small dairy farm for residential development without telling the landowners.

It's called a snafu.

The Kralls are a young couple, in their 30s, who, several years ago, bought a 112-acre dairy farm in southern Lebanon County with the intention of producing and selling milk.

Dairying in Lebanon County is a well supported industry and the county rolling herd average has been the highest in the state for the past four years.

There are several markets available for selling milk, and crops do well in the deep-soiled, limestone-rich, valley.

The county extension office, the USDA support offices and the conservation district office are all located about a mile away from the Krall farm.

Equipment dealers are nearby. Markets are strong.

However, late last fall, about the time the Krall's children were preparing their swine and cattle for 4-H showing, the couple read in the local newspaper that their farm was to be rezoned from agriculture to medium density residential.

As it was, the Kralls acted in time to attend a mid-December public hearing and object to their farm being rezoned to residential.

Had they not seen the newspaper article, Glen and Linda may have faced being shut down for building projects and had their real estate taxes skyrocket.

While no public official took credit for proposing a zoning change for the Krall farm, officials told the Kralls that "someone said" the couple intended to sell the farm for building houses.

Rumors based on speculation, and also the fact that zoning officers are charged with planning wisely for growth, resulted in the farm being proposed as a very suitable area to zone for residential development.

In the Kralls' case, the farm is cursed with being ideal for residential development.

In fact, according to M. Lee Meyer, Lebanon County planning officer, the Krall farm was considered for residential zoning because the borough has committed itself to installing public water and sewage lines for residential and commercial use and the main service lines cut right through the farm.

In Lebanon County, the county planning office serves as the planning and zoning development and enforcement agency for municipalities, if the municipalities are willing to allow the county people to function in that role.

Several municipalities, including Cornwall Borough, have done so, mainly because the issuing of

permits, the followup and the enforcement of building permits and zoning allowances requires almost fulltime attention — especially in areas where real estate development speculators actively try to get projects approved.

Some other factors played a role in the attempted rezoning of the Krall farm: The county and the borough had been working for years to develop a long-term plan for the growth of population, business, transportation, etc.

Called the interim plan of 1987, the Cornwall Borough revised zoning was to comply with the long-term plans of the county. Cornwall is seen by planners as a bedroom community.

Also, the state laws covering planning and zoning for land activities do not take into account any kind of threshold limits for land use.

In other words, the laws tell municipalities to set aside tracts of land and label them for a certain use even if no one in the community ever desires to use land that way.

Aggravating the situation is that state agencies charged with different responsibilities not only do not cooperate, they frequently seek opposite ends.

In Cornwall Borough, the residents were told that they needed to go along with a public sewage project because DER said it was needed; and a public water line extension to the city of Lebanon was agreed to because borough officials said that DER directed the borough to have the water from its small reservoir and well system treated through an expensive and costly-to-maintain filtration and treatment plant.

For both costly infrastructure projects, environmental and health reasons were given as justification for taking on the large debt and raising the cost of living in the community.

When it finally comes down to reaping a reward for spending all the money for both projects, the benefactors are not easy to pinpoint.

What the projects do to the area is make it attractive for real estate development, especially the Krall farm.

But what the Kralls now know is that there are probably real estate deal-makers eye-balling their farm, speculating on when it might come up for sale.

In fact, by the actions of some of the borough officials, the Kralls aren't sure where the affection of local government lies.

The ordeal for the Kralls isn't over. While borough officials rescinded the effort to have the farm rezoned, it has not been very communicative or necessarily understanding in its zest to get the the water and sewer lines crossing the Kralls' property.

Glen and Linda were forced to hire an attorney after the first sewer line went through their property, paralleling a stream.

Not only did the project destroy much of the stream bank and reduce the meanders and the possibility of planting strong-rooted shrubbery to stabilize the stream, but the contractor had left a mess and had to be called back.

Next, when the borough wanted to put a water line along Tice Lane, they had planned to put it parallel to the roadway, but about 15 to 20 feet out in crop fields.

The small farm can't take much more loss of cropland. The Kralls milk 85 cows and rent additional land, but in order to maintain an



From the top of the hill behind the 112-acre Lebanon County farm of Glen and Linda Krall, residential development sits ominously on the edge of their land, having already taken over neighboring farm fields. County and borough officials are planning for more residential development and without asking, almost rezoned the farm to residential. In the meantime, the borough has installed a sewage line which parallels the stream, and a water line which parallels the road. Another sewage line is planned to run right up through the crop fields. The Kralls want to farm.

income and also balance the land with the number of livestock, they need to retain the usability of the farm's crop fields.

With the water line, borough officials insisted they had a 50-foot right of way. They also told Glen he had to hook up to the water line and pay the fees.

Glen argued about the damage to his fields it would cause. He also told them he didn't want or need public water on his farm.

The Kralls' attorney helped. He discovered the borough only had 33-feet of right of way. And he discovered that the borough couldn't force the public water onto a farm.

Taking a quick break, while milking cows Friday morning, Glen and Linda talked about the large financial investments they already put into the farm and how much more money it has cost them to try to keep it from being ripped up and turned into a playground for

"developers."

The Kralls had renovated an old bank barn to accommodate their 85 Holstein milking cows, put up new silos, installed an expensive, circular manure pit, fencing, have planned a heifer facility and have other projects under consideration.

But that's all based on the assumption that their 100-acre dairy farm will be able to remain in agriculture.

While the rezoning attempt was a slap in the face to the Kralls, they hoped to be left alone to farm to the best of their ability.

"It's not over yet," Glen said. "Didn't you hear about Phase II? They want to put another sewage line right up through the fields to get to six or seven houses."

Glen said it would be about 4,800 feet of land taken, and he'd have to plow around the manholes jutting up out of the ground.

Putting another sewage line

through those fields would destroy all of Glen's work upgrading the fields. He spent years to upgrade them and has practiced all the latest and best management practices.

He said he doesn't know how it is all going to work out, and while the battle isn't over, he's not going to let it get to him.

"I only get disgusted when I look out and see several trucks driving around my fields and a backhoe out there," he said. Last year a crew showed up, without previous notice, to check the proposed sewage line site in case there is anything of archeological importance buried in the fields.

"You should see what they did to my rye. There's spots 30- to 40-feet around where there's nothing growing. I should charge them for crop damage," he said.

"It's not over yet with the borough."

## U.S. Delegation Sees Dairy Markets In Russia

UTICA, N.Y. — The U.S. dairy leaders who came to Moscow with humanitarian aid said recently that there may be opportunities for U.S. dairy cooperatives to export specialty cheeses and other specialty dairy products to Russia.

"There's a definite and immediate possibility to do business with these people by one or more member cooperatives of National Milk Producers Federation," delegation leader Michael Donovan said after spending a morning last week with officials of Quality Products International, an American and Russian partnership venture.

Quality Products, with U.S. headquarters in Little Rock, Ark., has operations in Moscow, Kiev and St. Petersburg. Donovan said they met with sales manager Dale Collins, marketing coordinator Kellie Carney and company attorney Gregory Padgham.

Steve Eure, a staff member from National Milk's Arlington, Va. office, said, "This is a natural for member cooperatives who manufacture specialty cheeses and other specialty products." He said specialty dairy products typically have a longer shelf life.

"The trip would be worth it alone just for this opportunity," added delegation member Joseph Shine, assistant general manager of Maryland and Virginia Milk Producers headquartered in

Reston, Va. Shine said Quality Products International "deals in specialty and quality products catering to western style markets and western hotels and restaurants."

The seven-member dairy delegation arrived in Moscow on Monday with hopes of exploring ways to boost sales of U.S. dairy products, said Donovan, who heads Eastern Milk Producers Cooperative in Syracuse, N.Y.

The food distribution was expected to be handled by the Russian Journalists Charity Foundation, over the weekend. The mission to Moscow was coordinated by the Washington and Moscow offices of the Center for Democracy.

Also in the delegation are Marvin Schlitzer, board vice president, Swiss Valley Farms, Dubuque, Iowa; Robert Dever, assistant general manager, Atlantic Dairy Cooperative, Southampton, Pa.; Leon Berthiaume, general manager, St. Albans Cooperative Creamery, St. Albans, Vt., and Anthony Schlesier, cooperative relations manager, Eastern Milk Producers, Syracuse.

The current mission is being sponsored by the Center for Democracy, National Milk, the Council of Northeast Farmer Cooperatives, and the following

dairy cooperatives who donated products or money to buy products to send to Moscow:

— Associated Milk Producers Inc. (AMPI), San Antonio, Tex.

— Eastern Milk Producers Cooperative, Syracuse, N.Y.

— Independent Cooperative Milk Producers Association, Grand Rapids, Mich.

— Land O'Lakes Inc., Minneapolis, Minn.

— Middle Atlantic Cooperative Marketing Agency (MACMA), and three of its members,

Atlantic Dairy Cooperative, Southampton, Pa.; Middle Atlantic Division of Dairymen Inc., Sykesville, Md., and Maryland and Virginia Milk Producers Cooperative Association, Reston, Va.

— Milk Marketing Inc., Strongsville, Ohio.

— O-At-Ka Milk Product Cooperative and its majority owner, Upstate Milk Cooperatives, Leroy, N.Y. (O-At-Ka is also owned by Niagara Milk Producers and Dairylea.)

— Prairie Farms Dairy, Carlinville, Ill.

— Regional Cooperative Marketing Agency (RCMA), Liverpool, N.Y.

— Swiss Valley Farms, Dubuque, Iowa.

— St. Albans Cooperative Creamery, St. Albans, Vt.