

[REDACTED]

[REDACTED]

Sent: Tuesday, April 28, 2020 11:33 AM
To: Willig, Robert A.
Cc: [REDACTED]
Attachments: Section 2103.B.pdf (160 KB) ; ZoningHearingBoardApplicat.pdf (214 KB)

Dear Rob,

My name is [REDACTED] I am a farmer in Montgomery County, specifically Abington Township [REDACTED] from the Dep of Ag gave me your contact information.

I farm in a residential zoned part of the township and have been holding markets directly from my farm since the pandemic shut down my markets. The township is now threatening to shut down both the direct sales and the farming operation. My understanding is that the PA Right to Farm Act protects me from farming and from direct sales, since I have less than 10 acres and my gross sales exceed \$10,000 annually. I have been farming since early 2018, satisfying another stipulation of the Act that says that I must be farming for at least a year. I am wondering if the act protects me. I have till Thursday to submit an appeal to the zone hearing board. I have retained an attorney and she is helping me with this appeal. I also have to get a civil engineer to take make a site plan. This is all costing me \$10,000, all because it seems to me that the township is violating the PA Right to Farm. Is there any way you can help me? Am I actually protected by the Act in your opinion? Please help me if you're able. My entire livelihood is on the line, as are my customers' access to fresh, organic food.

I have attached the township zoning ordinance. I have also included the email the zoning officer sent me. My attorney is copied, and she may send you a followup email.

Thank you so much. My number is [REDACTED] Please feel free to call anytime.

[REDACTED]

This issue was reviewed by the Township Solicitor's office, and I am sorry to inform you that the Township's position remains the same. Both the use of the lot as agriculture to grow product and the use of the lot to sell the product from your property are not permitted. In order to continue the use, you will need to seek approval from the Zoning Hearing Board. Both dimensional and use variances from Sections 2103.B-1 and 2103.B-3 would be at minimum required. A Zoning Hearing Board application is attached for your review along with a copy of the section of the Zoning Ordinance with the relevant information highlighted. Should you wish to submit a Zoning Hearing Board application, please note that a site plan prepared by either a Land Surveyor or a Civil Engineer must accompany the application. The fee for the submission is \$400.00.

Please be aware that if you elect to continue this operation, and you do not file a Zoning Hearing Board application, this office will issue citations on a weekly basis starting next Thursday, April 30th, 2020. These citations can range up to \$1,000.00 per violation. I have copied [REDACTED] in this e-mail, as she had contacted me separately working as an attorney on your behalf.

Regards,

[REDACTED]

Abington Township

FW: TOWNSHIP IN VIOLATION OF PA RIGHT TO FARM

Info

Sent: Tuesday, April 28, 2020 1:18 PM

To: Willig, Robert A.

From: [REDACTED]

Sent: Thursday, April 23, 2020 10:26 PM

To: Info

Subject: TOWNSHIP IN VIOLATION OF PA RIGHT TO FARM

Dear [REDACTED]

I am a farmer in Abington township: [REDACTED] I have been farming on a residential zoned property for over a year and produce over \$10,000 worth of agricultural commodities annually. According to the PA Right to Farm Act, I can have direct sales from the property. I have been selling produce from my the property, but Abington township has sent a cease and desist letter, threatening to cite me \$1,000 a day. I informed them of the Act, and they persist. They are violating my right for farm. I have retained an attorney, but I wanted to reach out to you as well. Please contact me. I have one week till I am cited \$1,000 a day.

[REDACTED]

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