

Robert A. Willig  
Senior Deputy Attorney General  
1251 Waterfront Place  
Pittsburgh, PA 15222  
[REDACTED]

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From: [REDACTED]  
Sent: [REDACTED]  
To: [REDACTED]  
Cc: Upper Oxford Township <upperoxford@hotmail.com>; [REDACTED]  
Subject: [ EXTERNAL ] Upper Oxford Township [REDACTED] complaint - 15 Wood Valley Lane property

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Pennsylvania Office of Attorney General

Dear Rob:

This Firm is Solicitor for Upper Oxford Township, Chester County. The Board of Supervisors requested that I respond to your correspondence to the Board regarding an alleged violation of the Agricultural Communities and Rural Environment Law ("ACRE Law") regarding the use of a property located at [REDACTED] Chester County UPI No. 57-3-85.1 (the "Property"). The property is purportedly leased by [REDACTED].

Upper Oxford Township is a rural community predominated by farm and agricultural properties and uses. The intent of the Township Zoning Ordinance is to promote and preserve the Township's agricultural heritage and uses. The Property is located in the Township's AR-1 Agricultural Zoning District which permits agricultural operations by right. Agricultural Operation is broadly defined by the Zoning Ordinance.

The Township understands the definitions of "agricultural commodity" and "normal agricultural operation" cited in your correspondence. Based on the information available to the Township, the Township concludes that the activity that was occurring on the Property is not a "normal agricultural operation" protected by the ACRE Law.

The Township Zoning Officer inspected the Property and determined that [REDACTED] was mixing and bottling hand sanitizer. There were carboys stored on the Property containing large quantities of what appeared to be alcohol. [REDACTED] was mixing ingredients and bottling the product. Hundreds of empty bottles were on-site. None of the equipment being used by [REDACTED] was "agricultural equipment and machinery" as defined by the Farm Safety and Occupational Health Act, 3 P.S. § 1902.

There was no evidence on the Property of any crop production, including growing aloe either indoors or outdoors. This lack of crop production is confirmed by viewing aerial photographs of the Property on Google Earth and ChescoViews (arcweb.chesco.org).

We are aware that the Pennsylvania State Police visited the Property. However, the Township does not know if any citation was issued and has not obtained a copy of any police report.

[REDACTED]'s activity is a manufacturing operation that is not permitted in the AR-1 Zoning District and is not a protected activity under the ACRE Law. The Township's Zoning Ordinance is not an "unauthorized local ordinance" as defined by the ACRE law.