

Willig, Robert A.

From: [REDACTED]
Sent: Wednesday, September 21, 2022 6:49 PM
To: ACRE Shared Mailbox
Subject: [EXTERNAL] West Penn Township - Schuylkill County PA - Township Ordinance - Agriculture
Attachments: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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Good evening. My name is [REDACTED], and I am co-owner of [REDACTED] in Tamaqua PA (West Penn Township). We are organic grain farmers. We have been farming in West Penn Township since 2015.

In Nov 2020 we bought a 30-acre property on [REDACTED]. Property consisted of grain bins, grain handling equipment, a feed mill, and some aged outbuildings. The property was a commercial feed mill (Purina I believe as far back at the 1940's) and then a layer operation which utilized the feed mill to manufacture their feed on two farms within West Penn Township. Property is zoned Highway Commercial.

My business partner and I also own a small grain trading company that concentrates in US grown organic grain. The grain business is leasing the larger grain bins on this property to store raw & roasted organic soybeans. We started roasting organic soybeans in Jan of 2022 for a PA feed mill. In early July we had a neighbor make personal contact with us to ask what we were burning. We replied we were roasting soybeans. He asked if we had a permit to roast the soybeans. We responded that we don't think we need a permit to do so. He left.

Since this meeting we have been a target by a few neighbors. They do not like us roasting organic soybeans due to health concerns that they have – one of the complaints believes his wife has asthma b/c of the roasting. On top of that we have been accused of doing many other issues which would include the storing human waste on our farm. Being a certified organic farmer, I can tell you we are very limited on fertilizer choices and biosolids is not allowed on that list.

The township and zoning officer have since stepped in. I received notice from zoning officer on our around 8-10 stating we needed a permit to process grain. I filled out said permit and handed it into the township on 8/18. 8/22 we received a letter from [REDACTED] (zoning officer) stating we were approved to process grain on our property. On 8/24 I received an email/letter stating that they have retracted the permit and thus have been denied due to our Highway Commercial ordinance. In the same letter the zoning officer approved us to use our grain bins to commercially store grain.

We have 30 days to appeal the 8/24 denial which we plan to do. We have been working with our lawyer on the rebuttal. I plan to drop that off at the township tomorrow afternoon. Our feeling is that the mill has been on this property for upward of 100 years. The main road in front of the property [REDACTED] and the road that wraps around us [REDACTED] are indicative to the length in time that this facility has been there. When we bought the place all the equipment was there – full feed mill, bins, augers, grain cleaner, corn sheller, legs,

etc. We have been grandfathered in to commercially store grain so we believe we should be grandfathered in to progress the grain in the bins as well.

We have been inspected by DEP Air Quality as well as DEP Solid Waste. Both inspections deemed us in compliance. We also have a nutrient balance sheet (Act 38) covering all our farmed acres, manure application setbacks, approved manure stacking locations, etc. Our manure comes from CAFO operation in West Penn Township. I have worked with the local conservation district, SCC and even the PA Agricultural Ombudsman [REDACTED] to help educate our township officials on what we are doing on this property.

I was hoping to connect with someone in your office to discuss this issue a bit further. I will be the first to admit I am not an educated person when it comes to situations like this one.

Our new address (we had to put in a new driveway when we purchased the property - [REDACTED])

