

# CURRENT DRAINAGE

## AN AMENDMENT TO THE ORDINANCE OF THE TOWNSHIP OF LEWIS, UNION COUNTY, PENNSYLVANIA, AMENDING THE LEWIS TOWNSHIP ZONING ORDINANCE #03-1

- (1) Article II, Section 202 of the Zoning Ordinance is amended to add the following definitions:

**Fence:** A structure of rails, connected stakes, or strung wire erected as an enclosure, barrier, or boundary.

**Concentrated Animal Feeding Operation (CAFO):** A CAFO is a CAO with greater than 300 AEU's, any agricultural operation with greater than 1,000 AEU's, or any agricultural operation defined as a large CAFO under 40 CFR § 122.23. 25 Pa. Code § 92.1

**Concentrated Animal Operation (CAO):** An animal operation with eight or more animal equivalent units (AEU's) where the animal density exceeds two AEU's per acre of land suitable and available for manure application. 25 Pa. Code § 83.201

**"Commercial Livestock Operation"** shall be deleted from Article II, Section 202.

- (2) Article VI, Section 617 (A) of the Zoning Ordinance is amended as follows:

**"Commercial Livestock Operation"** shall be deleted and replaced with **"Concentrated Animal Operation"** and/or **"Concentrated Animal Feeding Operation"** and shall read as follows:

**"An owner or operator of a proposed concentrated animal operation (CAO) or concentrated animal feeding operation (CAFO) shall obtain a Township permit to operate a CAO or CAFO, which the Township shall issue to the owner or operator upon the Township's receipt of proof that the owner or operator has an approved nutrient management plan and has obtained all required DEP permits. Agricultural operations that use or produce manure that are not concentrated animal operations (CAO) or concentrated animal feeding operations (CAFO) shall comply with the DEP requirements applicable to such operations, including the requirements specified in 25 Pa. Code § 91.36 and the manuals and guides referenced in that provision.**

- (3) Article VI, Section 617, (H) of the Zoning Ordinance is amended as follows:

1. All manure storage facilities shall be set back a minimum of 100 feet and a maximum of 300 feet from any lot line, as applicable under 25 Pa. Code § 83.351.
2. The location for animal housing and manure storage facilities for new or expanding concentrated animal operations or concentrated animal feeding operations shall be in accordance with the approved Odor Management Plan.

3. Buildings used for animal housing on agricultural operations that are not concentrated animal operations or concentrated animal feeding operations shall be set back a minimum of 100 feet from property lines.

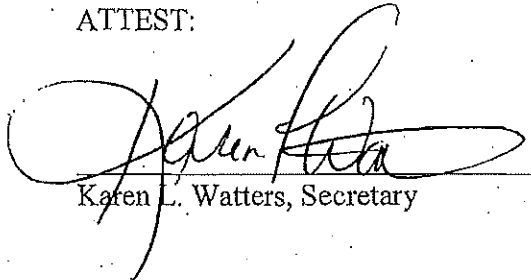
(4) Article VIII, Section 801 for POWERS AND DUTIES of Zoning Hearing Board members is amended to add subsection D as follows:

Zoning Hearing Board members who are directors, officers, partners, or have a direct interest in a business are prohibited from voting on a zoning action which may affect that business.

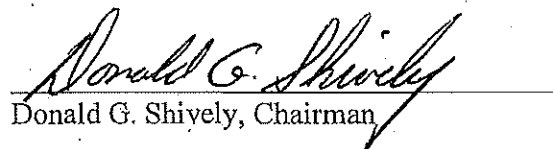
**ENACTED and ORDAINED** as an Amendment to Ordinance No. 03-1 of Lewis Township, Union County, Pennsylvania, this 12th day of October, 2010.

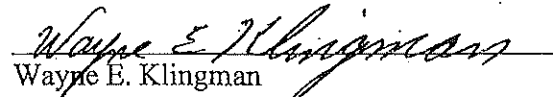
**TOWNSHIP OF LEWIS**

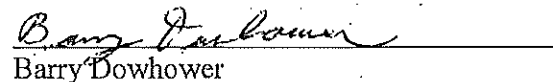
ATTEST:

  
Karen L. Watters, Secretary

By:

  
Donald G. Shively, Chairman

  
Wayne E. Klingman

  
Barry Dowhower

# DLS ORDINANCE 2007

## 617 COMMERCIAL LIVESTOCK OPERATION

- A. All commercial livestock operations shall meet the requirements set forth in the Pennsylvania Nutrient management Act (3 P.S. § § 1701-1718) and the rules and regulations of the Pennsylvania Department of Environmental Protection and the State Conservation Commission in 25 Pennsylvania Code, Chapter 83, Subchapter D, Sections 83.201 – 83.491 as amended, for the reparation and submission of Nutrient Management Plans. In particular such operations shall meet the standards established pertaining to nutrient application, manure management, and manure storage facilities.
- B. The applicant shall furnish evidence from the Union County Conservation District that the proposed use has an approved conservation plan. All subsequent operations and activities shall be conducted in accordance with such conservation plan. If at any time, the conservation plan is amended, the applicant shall again furnish evidence from the Union County Conservation district that the amended plan has been approved.
- C. The applicant shall submit, abide by and demonstrate a working knowledge of written qualified evidence describing the methods that will be employed to:
  - 1. Minimize odor on nearby properties. Unless the methods employ the best possible techniques and materials that can be practicably applied to the proposed use, the application will be denied.
  - 2. Dispose of dead animals according to the regulations of the Pennsylvania Department of Agriculture. In the event of a catastrophic loss in which mass disposal is warranted, the Pennsylvania Department of Agriculture can require whatever disposal methods are deemed appropriate to safeguard animal and public health.
- D. The applicant shall furnish a letter from the Union County Conservation District attesting to the approval of the design of any on-site manure storage facilities and that such facility design is in compliance with the rules, regulations, and guidelines of the Pennsylvania Department of Environmental Protection.
- E. Any exhaust or ventilation fans employed shall be oriented and directed away from the closest residences that are not that of the operator. The Township shall require the applicant to construct a dispersion buffer between the exhaust of the fans and nearby residences if there is no natural existing buffer. Such dispersion would require a vegetative berm or other equally effective treatment to effectively disperse or redirect the fan exhaust so that no direct exhaust velocity is perceptible at the property line.

- F. Any driveway or access drive providing for vehicular access to the proposed use shall maintain a fifty (50) foot wide radius for all turns and intersections.
- G. Construction and subsequent operation of the waste storage facility shall be in accordance with the permit and the approved design. Any design changes during construction or subsequent operation will require the obtainment of another review by the Union County Conservation District.
- H. The following setbacks shall apply:
1. Any building or area used for the housing of livestock or poultry shall be set back at least five hundred (500) feet from the nearest existing residence other than the principal residence of the applicant. Where there is no existing residence, the setbacks shall be two hundred fifty (250) feet from a property line other than that of the applicant.
  2. Any building or area used for the housing of livestock or poultry shall be set back at least one thousand (1,000) feet from the nearest property line of any land within the Rural Residential District.