

[REDACTED]
ATTORNEY AND COUNSELOR AT LAW
[REDACTED]

[REDACTED] February 17, 2026 [REDACTED]

Office of Attorney General
ATTN: Jeffrey Mozdziok
The Phoenix
1600 Arch Street, 3rd Floor
Philadelphia, PA 19103

RE: ACRE Complaint-Lewis Township, [REDACTED]

Dear Attorney Mozdziok:

I am sending this letter regarding your December 17, 2025, letter regarding [REDACTED] ACRE Complaint with your office.

First and foremost, allow me to apologize for the delay in response to your correspondence. The correspondence was sent to the then Township Supervisor, [REDACTED] who ended his term in December of 2025. Lew Township then held its reorganization meeting on the first Monday in January of 2026 and the letter was not passed on to the current Township Supervisors until sometime in January. I received the letter on February 9, 2026.

Allow me to address [REDACTED] concerns that he presented to your office. First, by way of background, [REDACTED] had originally had a conditional use hearing when he proposed to construct two (2) swine finishing barns at this same location. At the hearing, he was granted a Conditional Use for the construction and operation of the swine finishing barns. Part of the condition of that was that [REDACTED] would use the approximately three-quarter mile lane to PA Route 45 as access for tractor trailer traffic. [REDACTED] volunteered for that and that became part of the granting of the Conditional Use for that project. That project lapsed due to [REDACTED] inactivity.

[REDACTED] then presented the current plan for the erection of three (3) chicken barns at the same location. These chicken barns would house approximately 240,000 chickens. It was discussed at the conditional use hearing that this use would generate approximately one thousand tractor trailers traveling to and from the poultry operation each year, with a minimum estimate of at

Mr. Jeffrey Mozdziock
February 13, 2026
Page 2

least fifteen full size tractor trailers per week. It was discussed at both conditional use hearings that [REDACTED] which is a township road, had only a base layer of approximately six inches. Whereas PA State Route 45 is designed for and capable of handling a large amount of tractor trailer traffic. It was additionally discussed at both conditional use hearings that to access [REDACTED] via tractor trailer, [REDACTED] would need a fifty-foot radius or approximately one hundred ten feet (110') of road frontage. It was believed that there is simply not enough road frontage or radius given that there are residences on either side of his driveway to [REDACTED]. Concerns were also raised that the proposed [REDACTED] access lacked a sufficient line of sight to ensure traffic safety.

Mr. Kaler's email stated that the township road already has another poultry farm, 18-wheel tractor trailer traffic and a metal roofing business that uses trailer trucks for deliveries. I would like to address that the other poultry farm is an operation that houses slightly over 20,000 chickens, it is not a CAFO (Concentrated Animal Feed Operation) and has no access to any other roadway, and any other tractor trailer traffic would be sporadic. [REDACTED] went on to state that private residents also park their tractor trailers on this road. After inquiry, I would dispute this assertion as none of the Supervisors were aware of that being the case.

As a final point, I would point out that the granting of the Conditional Use did not restrict [REDACTED] from using the [REDACTED] access for personal vehicles or any vehicles that were no larger than a tri-axle truck. The restriction was solely applied to using the [REDACTED] access for tractor trailer traffic.

I hope this answers your inquiry. In reviewing this matter, I could see nothing that indicated that the Township violated any of its ordinances with respect to the granting of the Conditional Use for [REDACTED].

If you have any further questions or concerns, please feel free to contact me.

Sincerely,

[REDACTED]

cc: Lewis Township Board of Supervisors